Private Hire or Hackney Carriage Driver’s Licence Application Pack

Before being considered for a licence, you will need to have held a full DVLA licence for a minimum of one year.

In order to submit your application, you MUST first contact the Taxi Licensing Section on (01482) 300300 to arrange an appointment.

<table>
<thead>
<tr>
<th>Service</th>
<th>Fees</th>
</tr>
</thead>
<tbody>
<tr>
<td>Application including photo, DBS Check, DVLA mandate and Licence</td>
<td>£140 (1 year) £247 (3 years)</td>
</tr>
<tr>
<td>BTEC Level 2 for Professional Taxi and Private Hire Drivers</td>
<td>£245 + VAT</td>
</tr>
<tr>
<td>Local Knowledge Test</td>
<td>£15 + VAT</td>
</tr>
<tr>
<td>Communication and Speaking Assessment</td>
<td>£15 + VAT</td>
</tr>
<tr>
<td>Literacy and Numeracy Assessments</td>
<td>£20 + VAT</td>
</tr>
<tr>
<td>Driving Assessment</td>
<td>£66</td>
</tr>
<tr>
<td>Group 2 Medical Report</td>
<td>Fees dependant on your own GP’s charges</td>
</tr>
</tbody>
</table>

You will also need to provide:

- a document with your National Insurance Number
- a medical examination report completed by your own GP. **This MUST be submitted to the Licensing Section within 28 days of completion** (blue form)
- a completed application form (green form)
- two written character references (professional and personal – both being recent, signed, addressed and dated)
- under the Immigration Act 2016 (please see pages 3-5), you **must** provide your current passport and/or any other documentation supporting your right to work in the UK. (Please be aware that checks will be made with the relevant agencies in relation to this)
- you will be required to attend an appointment to complete a Disclosure & Barring Service check (see page 6) and submit your application. **The Licensing Section can accept an Enhanced DBS disclosure if it less than 28 days old. If you have already signed up to the Update Service, you are required to complete a consent form so the Council can carry out a Status check**

The following **must** also be completed:

- Driving Assessment
- Literacy and Numeracy Assessment
- BTEC Level 2 for Professional Taxi and Private Hire Drivers
- Knowledge Test
- Communication and Speaking Assessment

If an application is NOT completed within six months (from receipt of the DBS Disclosure), it will become invalid and a fresh application will be required. This includes a new DBS Disclosure, medical and driver application fee.
The appointment involves the submission of references (if available), driving licence, a document displaying your national Insurance number, together with the appropriate ID necessary for the DBS check (please see page 6).

We suggest enrolling on the BTEC course first as this may take the longest to complete.

ALL LICENCES OF WHATSOEVER KIND EXPIRE ON 30 JUNE, IRRESPECTIVE OF WHEN THEY WERE ISSUED
The Immigration Act 2016, which came into force on 1\textsuperscript{st} December 2016, amends existing licensing regimes in the UK to seek to prevent people without lawful immigration status and the right to work from holding taxi or private hire driver or operator licences.

Licensing authorities are now under a duty not to issue licences to people who are disqualified by their immigration status from holding them. In order to discharge this duty your right to work in the UK will be checked as part of your licence application. This could include the authority sharing data with the Home Office in order to check your immigration status.

You must therefore provide a document or document combination that is stipulated as being suitable for this check. The list of documents is shown below.

You must bring the original document(s) such as a passport or biometric residence permit so that the check can take place. The document(s) will be copied and the copy retained by the licensing authority. The original document(s) 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 laws, your licence will lapse and you must return it to licensing, failure to do so is a criminal offence.

To ensure we do not discriminate against anyone, all licence applicants will be treated in the same way during the licence applications process.

Following the correct checks, applicants who have a permanent right to remain in the UK and produce a document(s) from List A, will not require further checks when they subsequently apply to renew or extend their licence.

\textbf{List A}

\textbf{No immigration restrictions on right to a licence in the UK.}

Once we have undertaken the necessary check, we will not have to repeat the check when you subsequently apply to renew or extend your licence.

1. 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 the right of abode in the UK.

2. 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.

3. A Registration Certificate or Document Certifying Permanent Residence issued by the Home Office to a national of a European Economic Area country or Switzerland.

4. A Permanent Residence Card issued by the Home Office to the family member of a national a European Economic Area country or Switzerland.

5. 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 on their stay in the UK.
6. 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.

7. 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.

8. A full birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's 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 a previous employer.

9. A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland, 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.

10. 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 a previous employer.

List B

Immigration restrictions on the right to a licence in the UK.

We may issue the licence (subject to statutory limitations) up to the expiry date of the permission to work in the UK. We will need to check immigration status each time you apply to renew or extend your licence.

1. 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.

2. 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.

3. 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.

4. 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 a previous employer.

5. 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 granted for six months from the date of the Certificate of Application.
6. A Verification issued by the Home Office Evidence and Enquiry Unit to you, which indicates that the named person 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 six months from the date of the licence decision.

**Enhanced Disclosure & Barring Service check**

You should be aware that the Licensing Authority is empowered in law to obtain an Enhanced Disclosure & Barring Service check. This will give details of everything on your criminal record, including cautions, reprimands and final warnings, as well as convictions and, if relevant, the findings of checks against Government department lists of people banned or unsuitable for work with children or vulnerable adults. Please note, the Licensing Authority is empowered to consider all convictions when determining application for a Hackney Carriage or Private Hire Driver’s Licence. Information received from the DBS will be kept in strict confidence whilst the licensing process takes its course and will be retained for no longer than necessary.

The disclosure of a criminal record or other information will not debar you from gaining a licence unless the authority considers that a conviction renders you unsuitable to hold a licence. In making this decision the authority will consider the nature of the offence, how long ago, and at what age you were when it was committed and any other factors which may be relevant.

When considering any application for the grant of a Hackney Carriage or Private Hire Driver’s licence, the Licensing Committee shall have regard to the Council’s policy, relating to the relevance of convictions. Please see pages 11-13 for Council’s policy on convictions.

In order to complete a DBS check you have to provide a number of original documents (detailed below) proving your identity. They are 3 different routes you can go down which are listed below.

**Route 1**
- 1 document from Group 1 and
- 2 further documents from Group 1, 2a or 2b; one of which must verify your current address

**Route 2** (will incur an additional 5.00 charge)
- 1 document from Group 2a; and
- 2 further documents from Group 2a or 2b; one of which must verify your current address

Also, a continuous five year address history is required detailing month AND year only for each separate address (if applicable). After this, an external identification service will take place to establish your name and living history footprint.

**Route 3** will involve a probing discussion as to why you were unable to meet the requirements of Route 1 or 2.

You must produce:
- a certified copy of a UK birth certificate; and
- 4 documents from Group 2 comprising of:
  - 1 document from Group 2a; and
  - 3 further documents from Group 2a or 2b; one of which must verify their current address.
Acceptable documents for the DBS are listed below

Group 1: Primary identity documents

<table>
<thead>
<tr>
<th>Document Type</th>
<th>Acceptable Documents</th>
</tr>
</thead>
<tbody>
<tr>
<td>Passport</td>
<td>Any current and valid passport</td>
</tr>
<tr>
<td>Biometric residence permit</td>
<td>UK and Channel Islands – including those issued by UK authorities overseas, eg embassies, High Commissions and HM Forces</td>
</tr>
<tr>
<td>Current driving licence photocard – (full or provisional)</td>
<td>UK/Isle of Man/Channel Islands (full or provisional)</td>
</tr>
<tr>
<td>Birth certificate - issued at time of birth</td>
<td>UK and Channel Islands</td>
</tr>
<tr>
<td>Adoption Certificate</td>
<td>UK and Channel Islands</td>
</tr>
</tbody>
</table>

Group 2a: Trusted government documents

<table>
<thead>
<tr>
<th>Document Type</th>
<th>Acceptable Documents</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current driving licence photocard – (full or provisional)</td>
<td>All countries outside the EU (excluding Isle of Man and Channel Islands)</td>
</tr>
<tr>
<td>Current driving licence (full or provisional) – paper licence (if issued before 1998)</td>
<td>UK, Isle of Man, Channel Islands and EU</td>
</tr>
<tr>
<td>Birth certificate – issued after time of birth</td>
<td>UK and Channel Islands</td>
</tr>
<tr>
<td>Marriage/civil partnership certificate</td>
<td>UK</td>
</tr>
<tr>
<td>HM Forces ID card</td>
<td>UK and Channel Islands and Isle of Man</td>
</tr>
<tr>
<td>Firearms licence</td>
<td>UK</td>
</tr>
</tbody>
</table>

All driving licences must be valid

Group 2b: Financial and social history documents

<table>
<thead>
<tr>
<th>Document Type</th>
<th>Acceptable Documents</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mortgage statement</td>
<td>UK or EEA</td>
</tr>
<tr>
<td>Bank or building society statement</td>
<td>UK and Channel Islands or EEA</td>
</tr>
<tr>
<td>Bank or building society account opening confirmation letter</td>
<td>UK</td>
</tr>
<tr>
<td>Credit card statement</td>
<td>UK or EEA</td>
</tr>
<tr>
<td>Financial statement, eg pension or endowment</td>
<td>UK and Channel Islands</td>
</tr>
<tr>
<td>P45 or P60 statement</td>
<td>UK</td>
</tr>
<tr>
<td>Council Tax statement</td>
<td>UK and Channel Islands</td>
</tr>
<tr>
<td>Work permit or visa</td>
<td>UK</td>
</tr>
<tr>
<td>Letter of sponsorship from future employment provider</td>
<td>Non-UK or non-EEA only - valid only for applicants residing outside of the UK at time of application Must still be valid</td>
</tr>
<tr>
<td>Utility bill</td>
<td>UK – not mobile telephone bill</td>
</tr>
<tr>
<td>Benefit statement, eg Child Benefit, Pension</td>
<td>UK</td>
</tr>
<tr>
<td>Central or local government, government agency, or local council document giving entitlement, eg from the Department for Work and Pensions, the Employment Service, HMRC</td>
<td>UK and Channel Islands</td>
</tr>
<tr>
<td>EU National ID card</td>
<td>UK and Channel Islands</td>
</tr>
<tr>
<td>Cards carrying the PASS accreditation logo</td>
<td>UK and Channel Islands</td>
</tr>
<tr>
<td>Letter from head teacher or college principal</td>
<td>UK and Channel Islands - for 16 to 19 year olds in full time education - only used in exceptional circumstances if other documents cannot be provided Must still be valid</td>
</tr>
</tbody>
</table>

Please note all documents must be in your current name (excluding marriage certificate).
At least one document must show your current address and one document must show your date of birth.
Literacy and Numeracy Assessment

This is an evaluation of your literacy and numeracy skills completed by Motor Trades Group Training Association (GTA).

There are 2 tests at a cost £10 + VAT per test. The evaluation is usually completed in less than 2 hours. Level 1 for Literacy and Entry Level 3 for Numeracy are the minimum standards required.

Automotive Academy
12 Henry Boot Way
Priory Park East
Hull
HU4 7DY
http://www.motortradesgta.org/

BTEC Level 2 – Introduction to the Role of the Professional Taxi and Private Hire Driver

In order to obtain a Private Hire/Hackney Carriage Driver’s Licence, applicants are required to register and complete the BTEC. Equivalent qualifications may be accepted but proof of the certificate is required.

The BTEC is designed to support and enhance the knowledge of prospective drivers who wish to begin or continue a career in transporting passengers.

We can provide a course provider through Motor Trades Group Training Association (GTA). Please contact GTA reception desk on 353022 or via email heather@motortradesgta.org

The course currently costs £245 + VAT and is currently spread over 3 weeks. Alternatively, you can arrange your own course provider.

Included with the BTEC are the following nine mandatory units:

• Health & Safety in the Taxi and Private hire work environment
• Road Safety when driving passengers in a Taxi or Private hire vehicle
• Professional customer service in the Taxi and Private hire industry
• Taxi and Private Hire vehicle maintenance and safety inspections
• The regulatory framework of the Taxi and Private hire industry
• Taxi and private hire services for passengers who require assistance (includes wheelchair observations)
• Routes and fares in the Taxi and Private Hire vehicle Industries
• Transporting of parcels, luggage and other items in the Taxi and Private hire industry
• Transporting of children and young persons by Taxi or Private hire vehicles

Upon completion, a pass certificate will be issued in support of your application.
Knowledge Test & Communication and Speaking Assessment

The Knowledge Test - £15 + VAT
Communication and Speaking Assessment - £15 + VAT

It roughly takes 2 hours and there are 2 sections to the test.

Part 1 - Taxi Licensing Legislation
Part 2 - Identifying street names (45 out of 60 streets)

The Communication and Speaking Assessment will involve the planning of routes from location area 1 to location area 2 and accurately describe the route you would take.

– Planning a route (3 out of 5 journeys)

The Knowledge Test and Communication and Listening Assessment are run by GTA and takes place at:

Automotive Academy
12 Henry Boot Way
Priory Park East
Hull
HU4 7DY
01482 353022

It is recommended that you read the Hackney Carriage / Private Hire Licensing Conditions and Procedures handbook prior to your test which is given during your initial appointment. This can also be accessed on the Council’s web page.

Driving Assessment for Taxis and Private Hire Vehicles

The Driving Assessment will be undertaken by an approved driving assessor at Stockholm Road, Hull, HU7 0XW. **Payment to be made in person and the examination fee is £66.**

The standard of the hackney carriage (taxi) or private hire vehicle assessment is set at a level suitable for a full driving licence holder. It is therefore higher than the learner driver test.

The practical assessment will last for about 35 to 40 minutes, depending on traffic. Some of the skills you will be assessed on are specific to taxi drivers, such as a taxi manoeuvre and not stopping anywhere that could be dangerous for a passenger getting out of your vehicle.

Your practical driving test will include approximately ten minutes of independent driving. This is designed to test your ability to drive unsupervised, and make safe decisions without guidance. You can read about independent driving and how it will be assessed on the gov.uk website.

The examiner will also ask you a few questions on the Highway Code and ask you to identify some traffic signs and road markings.

During the practical assessment, you will be examined on:

- your awareness and anticipation
- your effective planning of prevailing road and traffic conditions
- your correct use of speed
- an emergency stop (there will be one in the assessment)
- a manoeuvre involving reversing
• a taxi or private hire related exercise
• your passenger safety and comfort
• a wheelchair element (for wheelchair enhanced vehicles if you requested the enhanced assessment)

If you are taking the taxi or ‘black cab' style test, you will need to answer some related 'cabology' questions. Examples of these include the dimensions of your vehicle, its correct tyre pressures and what you should do if a passenger leaves property behind.

Should you have questions regarding the driving examination please contact the test centre on 01482 615840.

References

Two references are required, one must be from a person in a professional capacity, and the other should have known the applicant for at least 3 years. Both references must be from someone other than a relative, future employer or a person connected with the taxi trade. The references provided should also be recent, signed, addressed and dated.

Applicants previously resident abroad

If an applicant has been a resident abroad within the last five years, a letter of good conduct and/or character reference from the country’s Embassy is required.

Final procedure of application

After producing all certificates for the driving assessment, the BTEC, the Knowledge Test, and the Maths & English Test, together with the Disclosure & Barring Service certificate - your application will go for consideration and a decision will be made as to whether your licence has been granted. In most cases, this will be made on the same day. In some situations, your application may be referred to the Licensing Committee and if so, you will be advised of what happens next.

Appeals

Any person aggrieved by the decision made by a District Council regarding a driver’s licence held under Section 51 of the Local Government (Miscellaneous Provisions) Act, 1976 has a right of appeal to a Magistrates’ Court and must be lodged within 21 days of receiving notice of this decision.

In addition, any applicant refused a driver’s licence on the grounds that the Committee is not satisfied they are a fit and proper person to hold such a licence, has a right of appeal to the magistrates’ court within 21 days of the notice of the decision.

It should be noted that following an unsuccessful appeal the Magistrates’ Court can award such costs against the appellant as it thinks just and reasonable.
Policy Statement on the Licensing of Private Hire and Hackney Carriage Drivers who are Ex-Offenders

- As an organisation using the Disclosure & Barring Service to assess applicants’ suitability for positions of trust, Hull City Council complies fully with the Code of Practice and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a Disclosure on the basis of a conviction or other information revealed.

- Hull City Council is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.

- We actively promote equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records.

- We require all applicants to provide details of their criminal record at an early stage in the application process. We guarantee that this information will only be seen by those who need to see it as part of the decision making process.

- We ensure that all those in Hull City Council who are involved in the decision making process have been suitably trained to identify and assess the relevance and circumstances of offences.

- During the application process, or in a separate discussion, we ensure that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the decision making process. Failure to reveal information that is directly relevant to the application could lead to the revocation of any licence issued.

- We undertake to discuss any matter revealed in a Disclosure with the person making the application before reaching a decision regarding an application.

Having a criminal record will not necessarily bar you from working as a private hire/hackney carriage driver. This will depend on the nature, circumstances and background of any offence(s).
INTRODUCTION

This sets out Hull City Council’s policy on the relevance of convictions and cautions in respect of applications for the grant of new hackney carriage and private hire drivers’ licences, and the renewal and review of existing drivers’ licences.

The policy is in place to assist the members of the Licensing Authority’s Licensing Committee in their decision-making and to maintain consistency of those decisions with each case being considered on its own merits. The policy also aims to provide clear information to current licence holders and potential applicants regarding the relevance of convictions and cautions. Any necessary hearings will be held in private.

The Licensing Committee may depart from this policy if the individual circumstances of any case merit such a decision and in such cases the Committee will give full reasons for the departure.

The primary objective of the licensing regime is to ensure that, so far as possible, those licensed to drive taxis are suitable persons to do so, namely that they are safe drivers with good driving records and adequate experience, sober, mentally and physically fit, honest and trustworthy. It is not the intention of the Licensing Authority to punish the applicant twice for a conviction or caution, but to ensure that public safety is not compromised. The committee will not consider the effect on the individual of any sanction imposed.

Legislation

The Local Government (Miscellaneous Provisions) Act 1976 Section 51 deals with the grant of a driver’s licence with regard to the suitability of the applicant. The Act states that a:

“...Council shall not grant a licence to drive a (Private Hire/Hackney Carriage Vehicle) unless they are satisfied that the person is a **fit and proper person** to hold a driver’s licence.”
Therefore the wording of the legislation makes it clear that the Licensing Authority may grant a licence ONLY if it is satisfied that the person is fit and proper - the onus is on the applicant to prove this, NOT the Licensing Authority to demonstrate that they are not.

There is no absolute definition as to what constitutes a “fit and proper person”. However, considering the range of passengers that a driver may carry, and other tasks that a driver may be required to perform, many of whom will be vulnerable, the Licensing Committee will want to have confidence that such people would be able to rely on the driver.

Section 61 of the Local Government (Miscellaneous Provisions) Act 1976 deals with currently licensed drivers:
“…the district council may suspend or revoke or refuse to renew the licence of a driver of a hackney carriage or a private hire vehicle on any of the following grounds.
1. That he has since the grant of the licence -
   i) Been convicted of an offence involving dishonesty, indecency or violence. or
   ii) Been convicted of an offence under or has failed to comply with the provisions of the Act of 1847 or of Part of this Act.
   Or;
2. Any other reasonable cause.”

Some important areas that will be considered by the Committee are:
• Honesty and trustworthiness;
• Courtesy - The Licensing Authority considers that aggressive or abusive conduct on the part of the driver is unacceptable;
• Consistently good and safe driving - those paying for a transport service rely on their driver to get them to their destination safely. They are professional drivers and should be fully aware of all road traffic legislation and any conditions attached to the licence;
• Good physical and mental health;
• Good knowledge and awareness of any special requirements that disabled passengers may have.

Protecting the Public

The over-riding consideration for the members of the Licensing Committee is to protect the travelling public. Having considered and applied the appropriate guidelines, if the Committee has any reasonable doubts, then an application must be refused, or consideration must be given to revocation or suspension of an existing licence.

In exceptional circumstances, authorised officers will exercise the powers granted under the Road Safety Act 2006 to suspend a licence with immediate effect where there are serious concerns regarding public safety following arrest or information provided by the Chief Officer of Police (or a body responsible for public or child protection). Where relevant, the case will be referred to a Licensing Committee for final determination following the conclusion of any legal proceedings.

Compliance with Conditions and requirements of Licensing Authority

All applicants and currently licensed drivers are strongly advised to carefully read and familiarise themselves with the Hull City Council Hackney Carriage and Private Hire Licensing Conditions and Procedures Handbook.

The Committee may take into account an applicant’s relevant history while holding a licence, from this or any other authority in deciding whether a person is a fit and proper person to hold a licence, or whether they can continue to hold a licence.
Such matters as a licence holder’s record of complaints, or positive comments from members of the public, their compliance with licence conditions and their willingness to co-operate with Licensing Officers will all be taken into consideration.

**Convictions and/or Cautions**

The licence application form requires that the applicant must disclose all convictions and cautions. These include any convictions that are spent under the Rehabilitation of Offenders Act 1974 by reason of the Rehabilitation of Offenders Act 1974 (Exceptions) Order 2002 (SI2002/441).

Any applicant who is arrested for, charged with or convicted of any offence, or issued with a formal caution for any offence, whilst their application is being considered by the Licensing Authority shall immediately inform the Licensing Authority in writing of the arrest, charge, conviction or caution.

If a licence is granted to a person on the basis of false or incomplete information supplied by them, the Committee may revoke the Licence.

The disclosure of any conviction will not necessarily preclude an applicant from being issued a licence. However, all convictions, spent or live, will be assessed, and may be taken into consideration. A series of offences over a period of time is more likely to give cause for concern than an isolated conviction. If a pattern is found for any offences, then serious consideration should be made as to the suitability of that person to hold, or apply for, a licence.

**Non-Statutory Rehabilitation Periods**

This policy has separated the various offences affecting an application into different categories, each detailing the period that normally elapse following conviction for a particular type of offence. If these requirements are not met, the matter will be referred to the Licensing Committee. If, after consideration by the Committee, a person is not considered suitable to hold a licence, then the application should be refused or, in the case of an existing driver, the licence should be revoked or suspended.

The Committee will not look behind the conviction or caution, but the applicant may, however, explain any mitigating factors, which they may consider led to them committing the offence. The Committee may choose to take these factors into account, together with all other relevant information, in deciding whether the applicant is suitable to hold or retain a licence.

The number, type and frequency of any offences will be taken into account. In some cases it may be appropriate to issue a licence together with a strong warning as to future driving conduct, or to give a similar warning to an existing licence holder. If a significant history of offences is disclosed, refusal of an application or a revocation or suspension may result.

**Options available to the Committee**

Depending on the nature of the conviction or caution, and any explanation offered by an applicant, the Committee may:

- Grant the licence;
- Grant the licence together with a written warning with regard to the applicant’s future conduct; or
- Refuse the application

There are statutory rights of appeal against a refusal to grant or renew a licence, and against a decision to suspend or revoke a licence that is in existence, as well as a right of appeal against any conditions which may have been imposed on any such licence by the Council.
CATEGORIES OF OFFENCES

CAUTIONS

If an applicant has received a caution for an offence, and dependant upon the nature of the offence, may be required to attend a meeting of the Licensing Committee to explain the caution.

If a caution is not declared, but is discovered by officers, an applicant will be required to attend a meeting of the Licensing Committee to explain why they failed to declare the caution.

TRAFFIC OFFENCES

Any new applicant who currently has 9 penalty points will have their application referred to the Licensing Committee who may, upon considering any representations by the applicant at a meeting:

• Issue the licence with or without a written warning
• Refuse the application.

If an applicant has been disqualified from driving for any reason, other than the offences shown below, at least one year (after restoration of DVLA licence) should elapse before an applicant is considered for a hackney carriage/private hire driver’s licence.

In most cases if there are 8 or fewer points on an applicants licence, a licence may be granted (subject to any other necessary checks and tests) by the Licensing Section with a formal warning with regard to future conduct.

INSURANCE OFFENCES

With regard to convictions or cautions for driving or being in charge of a vehicle without insurance, any new applicant who has been convicted or cautioned for driving or being in charge of a vehicle without insurance within 3 years prior to receipt of the application will be required to appear before the Licensing Committee to explain their conviction(s).

More than one conviction or caution for these types of offences should raise serious doubts as to an applicant’s suitability to hold a hackney carriage or private hire licence and the Committee may choose to reject the application for a licence. If an applicant has been disqualified for these offences, at least 3 years should elapse (after restoration of the DVLA driving licence) conviction free before an applicant is considered for a hackney carriage or private hire licence.

DRUNKENESS

This category has been divided into two separate sections; drink driving with a motor vehicle and drunkenness without a motor vehicle.

With a Motor Vehicle

The Council views driving or being in charge of a vehicle whilst under the influence of alcohol as a serious offence.

The offences that apply to this section include:

• Driving or attempting to drive with alcohol above the limit;
• Being in charge of a vehicle, driving or attempting to drive when unfit through drink;
• Refusal to provide a specimen of breath or blood for analysis
Any applicant with a single conviction for any drink driving offence within three years (after the restoration of their DVLA licence) prior to the receipt of their application will be required to appear before the Licensing Committee to explain their conviction(s).

Any applicant with more than one conviction for any drink driving offence within five years prior to the receipt of their application should expect their application to be rejected by the Licensing Committee.

**Without a Motor Vehicle**

An isolated conviction or caution for drunkenness not associated with a motor vehicle will not necessarily result in an application being refused, but an applicant who has been convicted or cautioned within 3 years prior to receipt of his application will be required to appear before the Licensing Committee hearing to explain their convictions or cautions.

**DRUG OFFENCES**

Any new applicant who has been convicted of, or cautioned for, a drug related offence within 3 years prior to receipt of their application will be required to appear before the Licensing Committee to explain their convictions. If the applicant was required to undergo detoxification treatment, a period of 5 years (free from conviction) after the end of treatment is required.

Before an application is considered, a specialist medical examination may be required to include a negative urine screen for drugs or abuse.

**SEXUAL OFFENCES**

Applicants who are on the Disclosure and Barring Services (DBS) barred lists will not be considered. Applicants who are not on the barred lists but are on the sexual offenders register will not be considered.

As hackney carriage and private hire drivers often carry unaccompanied passengers, any new applicants with convictions, or cautions, for a sexual offence, or where there is cause for concern of a similar nature will be required to appear before the Licensing Committee to explain their conviction(s) or caution(s).

**VIOLENCE**

As hackney carriage/ private hire drivers maintain close contact with the public, any convictions or cautions for violence will be taken very seriously.

An application will be referred to the Licensing Committee for the following offences; regardless of the period of time lapsed after the date of conviction:

- Murder
- Manslaughter
- Causing death by reckless driving
- Causing death by reckless driving when unfit through drugs
- Causing death by careless driving when unfit through drink
- Causing death by careless driving with alcohol level above the limit
- Causing death by careless driving then failing to supply a specimen for analysis
- Manslaughter or culpable homicide while driving a vehicle
- Causing death by dangerous driving
An application will be referred to the Licensing committee where the applicant has a conviction or caution for one of the following offences and where the conviction or caution is less than 5 years prior to the date of application:

- Arson
- Malicious wounding or grievous bodily harm which is racially aggravated
- Actual bodily harm which is racially aggravated
- Grievous bodily harm
- Robbery
- Racially-aggravated criminal damage
- Racially-aggravated s.4 Public Order Act 1986 offence (fear or provocation of violence)
- Racially-aggravated s.4A Public Order Act 1986 offence (intentional harassment, alarm or distress)
- Racially-aggravated harassment
- Racially-aggravated fear of violence
- Common assault
- Assault occasioning actual bodily harm
- Assault on the police
- Affray
- Battery
- Riot
- Obstruction
- Criminal damage
- Violent disorder
- Resisting arrest
- Any other offence involving violence

**POSSESSION OF A WEAPON**

Any new applicant who has been convicted or cautioned for possession of a weapon of any kind or any other weapon-related offence, and where the conviction is less than 5 years prior to the date of application, their application will be referred to the Licensing Committee.

**DISHONESTY**

Drivers of hackney carriage and private hire vehicles are expected to be persons of trust. Members of the public entrust themselves to the care of drivers both for their own safety and for fair dealing. For these reasons a serious view is taken at any convictions or cautions involving dishonesty.

Any new applicant who has received a conviction or caution for dishonesty as shown below, and where the conviction or caution is less than 3 years prior to the date of application, their application will to be referred to the Licensing Committee:

- Theft
- Burglary
- Fraud
- Benefit fraud
- Handling or receiving stolen goods
- Forgery
- Conspiracy to defraud
- Obtaining money or property by deception
- Any other offence involving dishonesty
Application for the Grant of a Hackney Carriage/Private Hire Driver’s Licence

Please ensure all of the application is completed or your application may be rejected.

Do you wish to apply for a:

- Private Hire
- Hackney Carriage
- 1 Year
- 3 Years

Which operator do you expect to work for (Private Hire Only) __________________________

Have you previously held a Hackney Carriage/Private Hire Driver’s Licence with this or other any council?

- Yes
- No

If ‘yes’, please give details (i.e. which authority, dates licence held, reason for leaving)

___________________________________________________

Surname: ________________________ First Names: ________________________________

Previous Names: ________________________ Date of Birth: ________________________

City of Birth: ________________________ Country of Birth: ________________________

Present Address (including Post Code)

Month & Year of Moving into Current Address Month: __________ Year __________

Mobile Number: _____________________ Landline Number: ________________________

Email Address: ________________________________

National Insurance Number: ________________________________

<table>
<thead>
<tr>
<th>Previous address including postcodes in the last five years</th>
<th>From (Month and Year)</th>
<th>To (Month and Year)</th>
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(Continue on separate sheet if necessary)

Driving Licence Details: Licence No. __________ / __________ / __________

Date of Issue ________________ Date of Expiry ________________

Current Occupation ____________________________________________________________

Name and Address of Employer: ________________________________________________
Have you ever been convicted before any court, or cautioned by the Police for any CRIMINAL offence?

YES ☐ NO ☐

IF YES, PLEASE GIVE DETAILS BELOW

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<tr>
<th>Criminal Convictions</th>
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<td>Date of Conviction</td>
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<td>Court or Police Force</td>
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<tr>
<td>Offence</td>
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<td>Sentence</td>
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(Continue on separate sheet if necessary)

Have you ever been convicted before any court, or received a Fixed Penalty Notice for any DRIVING offence? YES ☐ NO ☐

IF YES, PLEASE GIVE DETAILS BELOW

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<tbody>
<tr>
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</table>

(Continue on separate sheet if necessary)

DECLARATION
I have read the conditions attached to the licence for which I am applying and confirm that I will comply with them fully. I am aware that the grant of this a licence is subject to a Disclosure & Barring Service record check and confirm that this has been explained to me.

I understand that if my application is referred to the Licensing Committee for determination, I will be expected to provide an account of ALL of my convictions and cautions.

Do I have the right to work in the UK? YES ☐ NO ☐

(Please be aware that checks will be made with the relevant agencies in relation to this, unless you have documentation that proves otherwise).

I hereby declare that the information given above is true and I understand that I may be liable to prosecution if I have knowingly or recklessly made false statement or omitted any material particular to this application and that Hull City Council reserves the right to make further enquiries arising out of this application as they consider necessary.

Signature of Applicant _______________________________ Date ____________________

Data Protection Act 1998. The Council is fully compliant with all aspects of the Data Protection Act 1998 and will not release any information to third parties unless required to do so by law. The information that you provide will be processed for the purpose of determining this application, and during the currency of any licence issued for the purpose of maintaining accurate records and to write to you regarding matters that are related to such a licence. The information provided may be shared with other Council data partners in accordance with the Act. The Council 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. This may include sharing this information with other bodies responsible for auditing or administering public funds including the Audit Commission.

In the event of the refusal, revocation or withdrawal of a driver’s licence, the individual’s record will be retained to ensure that information is available to protect the public.

Please tick if you do NOT wish for your information to be retained or shared with other Council sections for the purpose of marketing and/or promotion ☐