

HOW TO APPLY FOR A HACKNEY CARRIAGE / PRIVATE HIRE DRIVERS' LICENCES

This guidance note explains in detail how to apply for a hackney carriage / private hire drivers licence at Chorley Council. The full conditions attached to a drivers licence are attached as Appendix 1 to this document.

An appointment system is in operation at all times and you can book an appointment by telephoning 01257 515151. Please do not attend outside of your pre-arranged appointment time as you will not be seen. You should attend at the One Stop Shop, Civic Offices, Union Street, Chorley **bringing with you the following documents** (use the tick box to help you to gather this information):

- Completed application form
- UK Birth certificate
- EEA/UK Passport
- DVLA driving licence (paper counterpart **and** card, where applicable)
- DVLA Mandate - completed and **signed**.
- Completed medical
- Completed Disclosure & Barring Service- DBS (previously CRB) form (guidance is available on how to complete this and what supporting information you require).
- Current Utility Bill

Please note that no other DBS will be accepted other than one applied for in support of this application

IMPORTANT NOTE:

WE WILL NOT BEGIN TO PROCESS YOUR APPLICATION IF YOU DO NOT BRING ALL OF THE ABOVE INFORMATION WITH YOU AS REQUESTED.

WE WILL DEFER YOUR APPOINTMENT TIME UNTIL SUCH A DATE WHEN YOU HAVE THE FULL INFORMATION AVAILABLE.

ANY APPLICATIONS WHICH HAVE NOT BEEN FINALISED WITHIN THREE MONTHS WILL BE REVIEWED BY THE LICENSING OFFICERS

1. HC or PH or Dual Driver's Licences

- A Hackney Carriage Drivers licence will allow you to drive only Chorley licensed Hackney Carriage vehicles. A Hackney Carriage is a vehicle that is licenced to ply for hire by waiting on the rank and also by being hailed by a customer. Pre-arranged journeys can also be made. In Chorley Hackney Carriages Vehicle numbers are limited and all vehicles licences have been allocated.
- A Private Hire Drivers Licence will allow you to drive only Chorley licensed Private Hire vehicles. A Private Hire vehicle can only carry passengers following pre-booking through a private hire operator, who is responsible for dispatching the driver and vehicle.
- A Dual Drivers Licence, also known as a co-terminus licence, will allow you to drive both Chorley Hackney Carriage and Private Hire licensed vehicles, but existing rules for those vehicles remain.

2. Second / Dual Driver's Licences

On first application, you can apply for either a Hackney Carriage or Private Hire Driver's licence or both (at the same time) and pay a licence fee for either one licence or an alternative fee for the dual licence. You cannot renew a single licence and upgrade to a dual licence, you would need to make a new application for the dual licence.

3. The Right to Work and Reside

Chorley Council work closely with the Home office and therefore you must provide an EEA Passport or UK birth certificate as part of your application. Where you are not able to provide these the Home Office will be contacted and they will check all necessary visas and records and advise the Council on the eligibility of your status with regard to your right to work and reside.

Your application will not be processed until this confirmation is received and therefore may be subject to delay in these circumstances.

4. The Knowledge Test

The test will consist of:

- (i) A number of oral/written questions to test your knowledge of routes to local places of interest and a reasonable working knowledge of roads and streets in Chorley and District.
- (ii) A number of oral/written questions which will test your knowledge of the law, as it relates to the hackney carriage and private hire trade. You will also be tested on your knowledge of the Highway Code.

No persons other than the applicant and the examiner may be present during any part of the test.

You will be told at the completion of the test whether you have passed or failed.

If the test is failed at the first attempt, then a further test can be taken at a later date. There is a charge for a re-test.

The Knowledge test will still be valid if you have previously taken a test and then apply as a new applicant, if this is within **3 or 5 years** of you previously holding a Chorley Council PH/HC Drivers Licence.

5. Medical Examinations

A medical examination to Group 2 standards will be required and the necessary forms are included. **Once the Chorley Council medical is completed you MUST apply for your licence within 28 days.**

The examination must be carried out by a doctor that has access to the applicant's medical records.

Any fee charged by the doctor is payable by the applicant. The examination must be carried out by any registered medical practitioner. Medical certificates must be renewed every 3 years in line with the renewal of until the age of 65 years.

An applicant aged 65 years or over must undergo the medical examination every year.

If matters of health concern are raised by the GP conducting the examination i.e if any of the areas of the form are ticked yes and further details are provided, then this will be referred to a Council appointed consultant who will advise whether you are fit to drive in accordance with the DVLA Group II standards as adopted. You will be advised if your medical has been referred and kept informed as to the results of the referral. You may need to undertake further tests to satisfy the DVLA Group II standards and any charges for this will be met by the applicant.

6. Criminal Records- DBS

When submitting an application for the first time for a hackney carriage/private hire vehicle driver's licence, you are required to declare ALL convictions/cautions or fixed penalty notices you may have. You may also be requested to make a similar declaration upon application to renew a licence. The information you give will be treated in the strictest confidence and will only be taken into account in relation to your application.

YOU SHOULD BE AWARE THAT THE COUNCIL IS EMPOWERED BY LAW TO CHECK WITH THE DBS for the existence and content of any criminal record held in the name of an applicant. Information received from the DBS is kept in strict confidence while the licensing process takes its course and will be retained for no longer than is necessary.

WARNING: *You are advised that to knowingly or recklessly make a false statement or omit any material particular from an application, or any document submitted with it, is an offence punishable on conviction by a fine.*

Notes

Checks on criminal records may take up to four weeks before being returned to licensing authorities. Initial licences will not be granted in less than that period.

The disclosure of a criminal record or other information may not debar you from gaining a licence unless the Council considers that the matters disclosed render you unfit to hold a licence.

If you would like to discuss what affect a conviction might have on your application, the Licensing staff will assist you and offer advice at your initial appointment.

7. Training Requirements

As of 1st November 2010 all NEW applicants for a private hire / hackney carriage drivers licence will be required to complete the DSA training assessment for taxis and private hire vehicles. Assessments are carried out by Driving Standards Agency (DSA) examiners. The test is more demanding than the practical test taken by learner drivers, and has elements that relate specifically to driving a taxi or PHV. A "DSA Training Guide" has been produced to explain more about what the assessment involves, the costs and how to book a test.

FEES:

All fees reflect the cost to the Council for issuing the licence and as a result no refunds will be made if you choose to surrender the licence or if the licence is suspended or revoked by the Council for any reason.

- a) On first application, you must pay the appropriate licence fee and the DBS fee. Cheques should be made payable to Chorley Council.
- b) Knowledge Test– an appointment can be made to undertake a Knowledge Test at the same time as completing the DBS application form. However, please note that any subsequent retests will be charged for.
- c) After completing the necessary checks, the DBS will return details of any relevant convictions to both the applicant and the appropriate officer at the Licensing Section. Upon receiving a reply from the DBS, you must contact the Licensing Section who will be able to inform you whether or not the Licensing Section is able to issue a licence or, if because of information received from the DBS, the matter can only be decided by the Licensing and Safety Committee.

If the Licensing Section is able to issue the licence you will be invited to attend by appointment in order for a licence to be issued.

DEFINITIONS

1. "The Council" means the Council of the Borough of Chorley.

"Identification plate" means the plate issued by the Council for the purpose of identifying a licensed vehicle as a hackney carriage or private hire vehicle.

"The Proprietor" has the same meaning as in Section 80 of the Local Government (Miscellaneous provisions) Act 1976.

"The Operator" means a person holding a licence to operate private hire vehicles issued pursuant to Section 55 of the Local Government (Miscellaneous provisions) Act 1976.

"Taximeter" has the same meaning as in Section 80 of the Local Government (Miscellaneous provisions) Act 1976.

CONVICTIONS

2. The licensee shall notify the Council in writing of any conviction or caution recorded against him/her and/or the imposition of any endorsable or non-endorsable fixed penalty within 7 days of such conviction or caution or penalty being imposed.

DRIVERS

3. The licensee shall not cause or procure or permit any other person to drive a licensed hackney carriage or private hire vehicle of which he/she is in charge except with the consent of the proprietor of the hackney carriage or private hire vehicle respectively.

CONDUCT

4. The Driver shall:

- (a) Afford all reasonable assistance with passengers' luggage.
- (b) At all times be clean and respectable in his/her dress and person and behave in a civil and orderly manner.
- (c) Take all reasonable steps to ensure the safety of passengers conveyed in, entering or alighting from the vehicle driven by him/her.
- (d) Not without the express consent of the hirer, drink or eat in the vehicle.
- (e) Not without the express consent of the hirer play any radio or sound reproducing instrument or equipment in the vehicle other than for the purpose of sending or receiving messages in connection with the operation of the vehicle.
- (f) At no time cause or permit the noise emitted by any radio or other previously mentioned equipment in the vehicle which he/she is driving to be a source of nuisance or annoyance to any person, whether inside or outside the vehicle.

IDENTIFICATION PLATE

5. The licensee shall not conceal the exterior identification plate of the vehicle or the details painted or marked thereon, and will keep the identification plate in a clean condition.

6. The plate showing the licence number and the maximum numbers of passengers MUST be displayed in the manner prescribed by the Council. This plate should be on the outside of the vehicle and fixed in such a way that any Authorised Officer or Police Constable may, in certain circumstances, remove it.

DRIVERS' LICENCE

7. The licensee shall deposit his licence to drive issued by the Council with the proprietor/operator for which the vehicle is being used during the time it is so used for that proprietor/operator.

8. Drivers licences are issued for a period of 3 years.

9. Every driver of a licensed vehicle must be licensed by the District Council (Section 46 LG(MP)A).

A Council cannot grant a licence unless it is satisfied that the applicant:

- (a) is a 'fit and proper person'.
- (b) has held a full ordinary GB driving licence, or other full licence issued by an EEA State, for at least 12 months, for motor cars. (It is Council policy that an applicant must be over 21 years of age and must have three years experience driving under a full licence).
- (c) is medically fit to drive a licensed vehicle (Section 51 and 57 LG(MP)A) and has been assessed to DVLA group 2 standards by a doctor that has access to the applicants medical records as necessary.
- (d) has produced an enhanced Criminal Records Bureau disclosure.
- (e) has passed the Councils knowledge test.
- (f) has successfully completed the training requirements as follows:
All drivers must pass the Driving Standards Agency Practical Driving Test for Taxis and Private Hire Vehicles. Those that wish to operate a wheelchair accessible vehicle must pass the Enhanced Wheelchair Assessment also.
- (g) submitted a completed application and has paid the relevant fee.

DRIVERS' BADGES

10. The Driver's badge provided by the Council shall be worn by the driver of a vehicle in such position and manner as to be plainly visible.

The badge need not be worn if:

- (a) the vehicle is being used in connection with a wedding or funeral.
- (b) the vehicle is carrying written permission from the Council that the plate need not be displayed (Section 75 LG(MP)A).

On revocation or suspension of the driver's licence, the badge must be returned to the Council on demand (Section 61 LG(MP)A).

PROLONGATION OF JOURNEYS

11. A driver must proceed by the shortest route, subject to the instructions of the hirer (Section 69 LG(MP)A).

ACCIDENTS

12. All accidents, however minor, MUST be reported to the owner/proprietor who, in turn, must report the incident to the Council as soon as is reasonably practicable and in any event within 72 hours.

SMOKING

13. It is an offence for the driver or passengers to smoke in a licensed vehicle at any time.

SUSPENSION AND REVOCATION OF DRIVER'S LICENCE

14. The Council may suspend or revoke or refuse to renew any licence on the following grounds:

- (a) the commission of an offence involving dishonesty, indecency or violence.
- (b) the commission of an offence under LG(MP)A.
- (c) any other reasonable cause (Section 61 (LG(MP)A).

DRIVERS OF LICENSED VEHICLES MUST BE LICENSED

15. Once a vehicle is licensed every driver of that vehicle whether it be used for business or pleasure, must possess a current drivers' licence from the Council who licenses the vehicle.

HIRERS' PROPERTY

16. The licensee shall immediately after the termination of any hiring or as soon as practicable thereafter carefully search the licensed vehicle for any property which may accidentally have been left therein.

17. The licensee of a licensed vehicle shall if any property is accidentally left therein by any person who may have been conveyed in the licensed vehicle and be found by or handed to him/her carry it, as soon as possible and in any event within 24 hours if not sooner claimed by or on behalf of its owner, to a Police Station in the district in order to receive instructions from the Police regarding its custody.

PASSENGERS

18. The licensee shall at all times when a licensed vehicle is hired take all reasonable steps to ensure the safety of passengers converted therein and persons entering and alighting from the licensed vehicle.

19. The licensee shall allow only one passenger to be carried in the front of the licensed vehicle beside the driver.

20. The proprietor/licensee shall not permit the Hackney Carriage/Private Hire Vehicle to be used to carry a greater number of passengers than that prescribed in the licence.

NOTE: It must be remembered that a licence is issued for a maximum number of passengers, be it 4, 5 or 8 (regardless of age or size) and it is an offence to carry more than the number licensed for, (this may also invalidate the vehicle insurance). The allowance of two children under the age of ten being counted as one person insofar as the rear seating only is concerned is only for the purpose of the fare charged and not for increasing the number of persons being carried as passengers.

'ALL PASSENGERS & DRIVERS MUST COMPLY WITH CURRENT SEAT BELT REGULATIONS'

ANIMALS

21. The licensee shall not permit any animal to ride in a licensed vehicle except an animal in the custody or control of the hirer which animal shall be conveyed in the rear of the vehicle.

22. The licensee must carry a guide, hearing or other prescribed assistance dog belonging to a passenger, free of charge, unless the driver has a proven medical condition that would preclude such action. Drivers have a responsibility to ensure that their operator/company is aware of such medical condition when they are first employed.

CHANGE OF ADDRESS

23. The licensee shall notify the Council in writing of any change of his/her address within 7 days of such change taking place.

RECORD BOOKS & RECEIPTS

24. A record book must be kept at all times in the vehicle to show when a receipt is issued. A receipt must be given if requested and each receipt must show the licence number of the driver, the date and the amount charged.

TOUTING, ETC

25. The licensee shall not while driving or in charge of a licensed vehicle:

- (a) TOUT OR SOLICIT IN A PUBLIC PLACE ANY PERSON TO HIRE OR BE CARRIED FOR HIRE IN ANY LICENSED VEHICLE OR
- (b) CAUSE OR PROCURE ANY OTHER PERSON TO TOUT OR SOLICIT IN A PUBLIC PLACE ANY PERSON TO HIRE OR BE CARRIED FOR HIRE IN ANY LICENSED VEHICLE.

In this condition:
"public place" includes any highway and any other premises or place to which at the material time the public have or are permitted to have access (whether on payment or otherwise).

CHEQUES

26. A licence in respect of which the licence fee has been paid by cheque shall not be effective until the cheque has been cleared.

FARES / TARIFF CARDS

27. The licensee shall not demand a fare in excess of that previously agreed between the hirer and the operator at the time of booking. The tariff may vary to that set by the Council, but a Table of Fares MUST be clearly displayed for the benefit of passengers.

28. The tariff for Taxis is set by the Council. All tariffs are a maximum, which may not be exceeded. A card showing the tariff MUST be clearly displayed in the vehicle.

ILLNESS OR INJURY

29. A Licensee must immediately inform the Council in writing of any deterioration in health or of any injury that would affect the licensee's ability to drive Hackney Carriage or Private Hire Vehicles. (This is in addition to the requirement of Section 94 of the Road Traffic Act 1988 requiring any driver to notify the Secretary of State of any relevant disability).

RADIO SCANNERS

30. The driver shall not fit, carry or use any radio frequency scanning apparatus in or on a licensed vehicle.