

DUDLEY METROPOLITAN BOROUGH COUNCIL

Town Police Clauses Act 1847

Public Health Act 1875

Local Government (Miscellaneous Provisions) Act 1976



Application for a Licence to Drive a Licensed Hackney Carriage Vehicle

It is important that you read this application pack in full before applying for a Hackney Carriage or Private Hire Drivers Licence. This application pack should be kept for future reference so that you are fully aware of the procedures for obtaining or renewing your licence, and the guidelines, criteria, conditions and regulations of the licence.

The Council licences Hackney Carriage and Private Hire Drivers, Vehicles and Private Hire Operators. The authority for doing so was the adoption of the Local Government (Miscellaneous Provisions) Act 1976, Part 2, together with the Town Police Clauses Act 1847, and the Public Health Act 1875.

The information you provide on this form is subject to the provisions of the Data Protection Act 1998 and will be held confidentially and will be retained for the purposes of processing your application. Further information in relation to the Data Protection Act can be obtained from the Information Commissioners website at: www.informationcommissioner.co.uk

This Authority is required by law to protect the public funds it administers. It may share information provided by you with other bodies responsible for auditing or administering public funds in order to prevent and detect fraud.

The Council reserves the right to require any applicant or existing licence holder to provide additional DVLA Disclosures, Enhanced Disclosure & Barring Service Reports or full Medical Reports if the Licensing Officer has reason to believe that such a person's circumstances may have changed since the application was made.

The Licensing Authority may get information about you from third parties, or give information to them to check the accuracy of information. This is to prevent or detect crime, or to protect public funds in other ways, permitted by legislation. These third parties include other local authorities, the police service and government departments.

The legislation states that the Council 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 Council to demonstrate that they are not.**

Please complete this form accurately and in full. Ticks/crosses/lines through the relevant box will not be accepted. Please note that any omission, false information or false documentation may make you liable to prosecution, your attention is drawn to the declaration).

Dudley MBC will only accept original documents in support of your application. Also this authority will not accept any documents that are defaced or appeared to have been altered. All documents must be in English.

I request that the Borough of Dudley grant me a licence permitting me to act as a DRIVER of a Hackney Carriage vehicle. I enclose the licence fee and badge deposit.

PART A – APPLICANT’S PERSONAL INFORMATION

SURNAME (BLOCK LETTERS)	
FORENAME(S) (BLOCK LETTERS)	
Date and Place of Birth	
Current Address	
How long at your current address? You must provide all other addresses where you have lived in the last 5 years. There must be no gaps in dates, however, overlapping dates are acceptable.	
Previous Address	
Telephone Number	
Any other contact details	
E-Mail Address	
Present Occupation	
National Insurance Number	

PART B – MEDICAL INFORMATION

Name of G.P.	
Address of G.P.	
Telephone Number of G.P.	
Length of time registered with G.P.	

PART B – MEDICAL INFORMATION (continued)

If you have been registered with your G.P. for less than twelve months you will be required to undertake your medical examination with the Council appointed Doctor.

Please note all medical fees will be paid directly to the doctors concerned

If you have Diabetes Mellitus which is controlled by Insulin you will automatically be referred to the Council appointed Doctor to assess your fitness to drive. Also in certain circumstances you will be referred to the Council appointed Doctor for a second opinion examination, or, if your G.P. is no longer able to conduct the vision assessment part of your medical examination **it may be in your interests to have your medical assessment with the Council appointed Doctor to avoid any unnecessary costs and delay in your application being determined.**

Do you wish your medical examination to be undertaken by:- (indicate as appropriate)

OWN G.P. YES NO

or

COUNCIL APPOINTED DOCTOR YES NO

The holder of a Hackney Carriage drivers licence is required by law to convey passengers who are accompanied by 'Assistance Dogs' (e.g. guide dogs for persons with visual impairment) unless a notice of exemption' has been issued to the driver by the Council. A 'notice of exemption' is issued when a medical practitioner (which will be the Council appointed Doctor) confirms that a driver has a medical condition which would be aggravated by exposure to dogs or a phobia

Do you wish to apply for a 'notice of exemption'? Yes No

The holder of a Hackney Carriage drivers licence, or the holder of a Private Hire drivers licence who drives a Private Hire vehicle, which has been identified as being able to convey users of standard reference wheelchairs is required by law to convey those passengers unless a notice of exemption has been issued to the driver by the Council. A notice of exemption is issued when a medical practitioner (which is the Council appointed Doctor) confirms that a driver has a medical condition which would make them unable to embark or disembark a std reference wheelchair safely onto their vehicle.

Do you wish to apply for a 'notice of exemption'? Yes No

PART C – DRIVING LICENCE DETAILS

First time applicants must at the time of application: have held a current licence to drive a motor vehicle (not being a provisional licence) issued in accordance with the Road Traffic Acts for a period of not less than 24 months prior to the date of application.

How long have you held a full Driving Licence?	
Driving Licence Number	
Driving Licence Issue Number	

PART D – CONVICTIONS, CAUTIONS AND INVESTIGATIONS BY OTHER AUTHORITIES

PLEASE READ CAREFULLY, IF YOU DO NOT UNDERSTAND PLEASE SEEK ADVICE FROM LICENSING.

If you have been convicted by a Criminal Court, or cautioned / reprimanded for any offence whatsoever **YOU** must disclose details of all convictions including driving convictions and fixed penalty tickets issued to you. The provisions of the Rehabilitation of Offenders Act 1974 do not apply to applicants for Private Hire and Hackney Carriage Driver licences. **Therefore you must include details of Spent Convictions and ‘Bind Overs’**

Has your DVLA Driver’s Licence been suspended / revoked / endorsed for any offence (it is an offence to fail to declare such matters)?

YES NO

If YES, please give dates and full details:-

OFFENCE	COURT (if applicable)	DATE	RESULT – Sentence / Caution / Reprimand

Please continue on the rear of this sheet if necessary

Have you been convicted or cautioned for a criminal offence (it is an offence to fail to declare such matters)?

YES NO

If YES, please give dates and full details:-

OFFENCE	COURT (if applicable)	DATE	RESULT – Sentence / Caution / Reprimand

Please continue on the rear of this sheet if necessary

Are you currently awaiting trial for either a criminal or motoring offence?

YES

NO

Are you currently the subject of any investigation by the Police or any other department of Dudley MBC, other Local Authority or Government Department?

YES

NO

If you have answered 'yes' to either or both of the above questions, please give dates and full details (including pending Court dates, nature of alleged offences, other matters currently under investigation and other agency details if appropriate) (Please note it is an offence to fail to declare such matters)

Please continue on the rear of this sheet if necessary

DECLARATION:

I declare that I have checked the details I have given in relation to any convictions, cautions or reprimands either criminal or motoring that I hold and to the best of my knowledge and belief they are correct. I also confirm that I am not subject of any other enquiry by any other agency. I also confirm that I have declared details of any pending investigation or legal proceedings.

Date

Signature

Print Name

PART E – GENERAL INFORMATION

<p>Are you or have you ever been licensed as a Private Hire or Hackney Carriage driver with another Authority?</p> <p>If YES, please answer the below questions</p> <ul style="list-style-type: none">a) Which Authority?b) When were you first licensed with them?c) Are you still licensed with them?d) What was your licence (badge) number with that Authority?	
<p>Have you been required to attend a Licensing Committee or had action taken against you by an authorised officer whilst you were licensed with any Licensing Authority including Dudley?</p> <p>If YES, please answer the below questions</p> <ul style="list-style-type: none">a) Reason for attendance or action taken?b) Any decision made by the Committee or authorised officerc) Was the licence surrendered before hearing?	
<p>Do you intend to follow any other occupation in addition to driving a hackney carriage vehicle?</p> <p>If YES, please answer the below question</p> <ul style="list-style-type: none">(a) Nature of employment(b) Name and address of the employer – if applicable(c) Hours each day engaged in that occupation(d) Right to work in UK – <u>ALL</u> Applicants will have their right to work checked by Licensing	

PART F – NON UK OR EEA CITIZEN
To be completed by Non UK and EEA Citizens

In addition to the normal application process for the grant of a Private Hire / Hackney Carriage drivers licence, all applicants that are non-UK citizens and are from the EEA and other overseas countries will be required to provide:

- **A certificate of good conduct (DBS equivalent) issued by an agency from the country of your citizenship. This document must be in English or be accompanied by an official English translation**

Please note that Dudley MBC will contact the relevant embassy or consulate within the UK to authenticate the document.

This will be in addition to you being required to undertake a DBS check which is part of the normal application process.

Non EU citizens will be required to submit current resident and work permits with their application.

In order to process you application Dudley MBC will contact the relevant Government department to confirm your resident and employment status.

What is your nationality?	
Passport – Country of Issue	
Passport Number	
Passport Expiry Date	
Do you reside in the UK?	YES <input type="checkbox"/> NO <input type="checkbox"/>
How long have you lived in the UK?	YEARS <input type="text"/> MONTHS <input type="text"/>
Do you hold a full UK Licence?	YES <input type="checkbox"/> NO <input type="checkbox"/>
Name of the overseas agency which supplied your 'Good Character / Conduct' Certificate?	
Full contact details of the agency (please include postal address, fax number, email address and web site if any)	
Full contact details of your countries UK based embassy or consulate (please include postal address, fax number, email address and web site if any)	

PART F – NON UK OR EEA CITIZEN (continued)
To be completed by Non UK and EEA Citizens

Do you hold a Visa / Permit that allows you to work in the UK? YES <input type="checkbox"/> NO <input type="checkbox"/>	
What is the expiry date of your work Visa / Permit?	
What is the Home Office reference number of your Visa / Permit?	
Is your work Visa / Permit subject of any restrictions? YES <input type="checkbox"/> NO <input type="checkbox"/> If YES, what are the restrictions?	
Do you hold a Visa / Permit that allows you to reside in the UK? YES <input type="checkbox"/> NO <input type="checkbox"/>	
What is the expiry date of your residency Visa / Permit?	
What is the Home Office reference number of your Visa / Permit?	

PART G – EMPLOYMENT AS A DRIVER

Please note: A licensed hackney driver / vehicle can only 'ply for hire' in the borough in which they are licensed.

If granted a licence, do you intend to do any pre-booked work?

YES

NO

If YES, what percentage of your work will be pre-booked?

Do you intend to work through a Private Hire Operator?

YES

NO

If YES, please given name and address (including telephone number) of the Operator

I am a licensed Private Hire Operator, if the applicant is granted a licence I am prepared to employ them as a licensed Hackney Carriage driver with my company.

Name of Private Hire Company

Signature of Private Hire Operator

Date

IMPORTANT PLEASE READ

Section 37 of the Town & Police Clauses Act 1847 states that The Council is obliged to have regard when issuing a licence in respect of Hackney Carriages to where the applicant intends to ply for hire. The Council may refuse to grant a licence if the applicant does not intend to ply for hire within its area and/or it is intended to be used (either entirely or predominantly) for private hire remotely from the area of that Authority.

Section 57 of the Local Government (Miscellaneous) Act 1976 may require an applicant to submit information in pursuant of the intended usage of the vehicle. (As confirmed in Blue Line Taxi's v Northumberland County Council 2012). If you indicate you intend to work entirely or predominantly in the Borough of Dudley and **DO NOT** do so you may be liable to prosecution for making a false representation to obtain a licence.

By applying for a Hackney Carriage drivers licence to be granted by Dudley MBC, do you intend to work as a Hackney Carriage **driver ENTIRELY OR PREDOMINANTLY in the Borough of Dudley?**

YES

NO

DECLARATION

**IT IS VERY IMPORTANT THAT YOU READ AND FULLY UNDERSTAND BEFORE SIGNING
THE DECLARATION**

I am aware that if I knowingly or recklessly make a false statement or I omit any material particular in giving information on this form I shall be guilty of an offence. This means that if I as the applicant, or if anyone else gives false information or leaves out any information to help me get a licence, I, and/or they can be prosecuted in court. I declare that I have checked the details given and to the best of my knowledge and belief they are correct. I am entitled to the licence for which I apply.

Date: Signature.....

Print Name.....

PART H – GENERAL GUIDANCE

1. This application form, together the appropriate documentation must be submitted for inspection by the applicant at the Licensing Services Office, Unit 1, Hurst Business Park, Narrowboat Way, Brierley Hill, West Midlands, DY5 1UF.
2. The Council can only grant a licence if they are satisfied that the applicant is a fit and proper person to hold a private hire or hackney carriage drivers licence, and,
3. The applicant has held for at least two years and is not at the time of application, the holder of a full licence granted under Part III of the Road Traffic Act 1972 authorising them to drive a motor vehicle.
4. The applicant is required to produce at the time of application a valid Driving Standards Agency pass certificate confirming you have passed a standard test for private hire and hackney carriage vehicles.
5. Subject to a successful application process you will be required to undertake and pass a knowledge test based on local knowledge, areas adjacent to the Borough and locations of major airports. The test also includes legislation and procedure associated with private hire vehicles.
6. You are reminded that your driving licence must be produced at the time of your application for the grant or renewal of your private hire driver's licence. A copy of your driving licence will be kept on file whilst you are licensed with this authority.
7. The photographs you produce of yourself in support of your application will be processed and form part of your identification badge which will serve you for the period of your licence. The wearing and displaying of your identification badges is a condition of your licence.
8. When submitting an application for a licence to drive hackney carriage / private hire vehicle you are requested to declare any convictions or cautions you may have, even if you consider them spent. The information you give will be treated in confidence and will only be taken into account in relation to your application.
9. You should be aware that the Council do make checks with the Police, other Government departments and other local authorities as part of the normal application process. Any information provided by these agencies will be kept in strict confidence and will only be retained no longer than necessary.
10. The disclosure of a criminal conviction or other information will not debar you from being granted a licence unless the conviction renders you unsuitable. In making a decision the Council will consider the nature of the offence, how long ago, and your age when it was committed and the impact the offence might have on public safety.
11. Any applicant refused a drivers licence on the grounds they are not a fit and proper person to hold such a licence has a right of appeal to the Magistrates Court.

MEDICAL REPORTS

1. All applicants for the grant of a Hackney Carriage and / or Private Hire drivers licence will have to undertake a medical examination. Normally medical examinations will be undertaken every three years but in certain circumstances due to an identified medical condition they may be required more frequently.
2. All medical examinations will be at the applicant's expense, who are also responsible for making their own appointments with their nominated G.P.

PLEASE NOTE: The Council will only accept completed medical forms by post direct from the nominated G.P. Under no circumstances will a medical form be accepted that is submitted by the applicant.

- It is recommended that you complete this form in conjunction with the 'Private Hire Guidance' booklet.
- If you wish to discuss your application with a member of staff please contact **01384 815101**