

GUIDANCE TO APPLICANTS FOR HACKNEY CARRIAGE AND/OR PRIVATE HIRE VEHICLE DRIVER LICENCES

How to apply

This guide tells you everything you need to do before you submit your completed application.

Most of your questions should be answered here, but if you need help you can:

- Call the Licensing Team on **01295 753744**
- Email your query to licensing@cherwell-dc.gov.uk
- Send a fax to **01295 221878** marked for the attention of the Licensing Team
- Write to us at **Licensing Team, Bodicote House, White Post Road, Bodicote, Banbury, Oxfordshire, OX15 4AA**

What to do first:

Your application cannot be processed without all the relevant paperwork so please ensure you read this guide before you submit your application. We want to make sure your application is not delayed;

Before submitting your application, check you have the following documents:-

- Completed Application form
- Medical Report completed by your own GP
- Completed Criminal Records Bureau disclosure form
- Documents for confirming your identity (See applicants guide for completing Disclosure Application form)
- Completed DVLA form
- The appropriate fee
- A full UK driving licence held for at least one year.

Declaration to be made by the Employer

When completing your application form you will need to get the form endorsed by the Proprietor or Operator who will employ you. Applicants must ensure prospective employers are given the relevant information in order to complete the necessary declaration.

Fees and Charges

The current application fees are detailed on a separate sheet enclosed with this guidance.

Submission of application

Submit your application either in person at Bodicote House. An appointment **must be made** before attending Bodicote House to ensure a member of staff will be able to assist you. It is important that all the necessary paperwork and documents (as listed above) are presented at the time of submission.

Once the Licensing Team have received your application, the medical form, the CRB and DVLA disclosures are sent to the relevant authorities for approval/disclosure. The process normally takes 3 – 6 weeks.

The knowledge Test

When applying for the grant of licence you must pass a knowledge test before a licence will be issued. **You** need to call the licensing team on: 01295 753744 to book this once you have handed in your application. The knowledge test consists of 35 questions; you will need to achieve 80% to pass. The knowledge test will consist of:

- (a) 10 general road knowledge questions. These include basic law and practise in relation to the use of Private Hire and Hackney Carriage Vehicles and the Highway Code.
- (b) 15 Road/Street/Place questions
- (c) 10 map location questions. The questions relate to the whole of the Cherwell District and surrounding are (Banbury, Bicester and Kidlington)

If you feel you need to “brush up on your knowledge” the following booklets / information will help you:

- The Highway Code - available from all good bookshops
- There are also various leaflets and Policy Documents enclosed with the Guidance which will assist you.

Knowledge Tests are taken at **Bodicote House** on Monday mornings at 10 am. It is best to arrive at about 9:50 am any queries can be answered before the test is taken. The test is a written test and should take no more than 30 minutes to compete.

An oral test may be requested but this must be done in writing and supported with a certificate of educational need confirming the necessity for an oral test.

Appointments for knowledge tests will only be made once a complete application has been submitted.

The result of your knowledge test may be obtained after 12pm on the Wednesday following the test. This gives the Licensing Team time to mark and record the results. You can call the Licensing Team on **01295 753744**.

If you fail 2 knowledge tests, a charge is made for each subsequent test taken. Advice will be given regarding areas for improvement. No advice will be given regarding specific questions and correct/incorrect answered.

You can take a maximum of **FIVE KNOWLEDGE TESTS**, after which the application is void. The first two tests are free and the following 3 will be £25 each.

If you are unable to make your knowledge test due to an emergency you must call a member of the Licensing Team before 9am to cancel the test. If you fail to let us know you are unable to come you will either be charged £25 for the missed appointment or if it was one of your two free tests then you will lose one of these.

Criminal Records Disclosure (CRB)

The completion of this form gives your permission to the CRB to divulge details of any criminal record to the Licensing Authority. A Guidance notes booklet is enclosed to aid completion of the form. When the disclosure has been completed, CRB will send a copy to you and to the Licensing Team.

Drivers Licence Disclosure (DVLA)

The completion of this form gives your permission to the DVLA to divulge any details of any motoring offences. It also confirms relevant dates, such as the date of passing your driving test, renewal of licence etc.

Identity Badge

If a licence is granted you will be issued with a photographic ID badge. A passport type photograph will be taken of you when you attend to hand your paperwork in. This badge must be worn **at all** times when you are driving a licensed vehicle.

Types of licence available

Full Licence –

When granted, a driver's licence is valid 3 years from the date of issue. In some certain circumstances licences will be granted for a shorter period. The licence allows you to drive a Hackney Carriage and Private Hire Vehicle licensed by Cherwell District Council.

Temporary Licence –

You may apply for a 3 month licence. This will enable you to undertake driving on a trial basis. However, although the fee is less, you should note that the application process remains the same. If you decided to extend a 3 month licence you may do so by paying the balance of the fee required for a full 3 year licence. A small charge is made for this (See separate sheet for fees and charges)

How long before my licence is issued?

The whole process usually takes 3 – 6 weeks. However, licences are issued within 3 working days of receipt of replies to all the disclosures i.e. CRB, Medical Approval & DVLA as long as the applicant has successfully completed the knowledge test. It is advisable to take the knowledge test during the consultation period so that the licence can be issued at the earliest opportunity.

YOU CANNOT DRIVE UNTIL A LICENCE HAS BEEN ISSUED TO YOU

Who can apply for a licence?

The Council can only grant a licence if they are satisfied that you are a fit and proper person. You must also have held a full driving licence for at least 12 months.

What are the guidelines used in deciding applications?

Each case will be decided in its own merits.

When completing your application you are required to declare any convictions or cautions you may have. The information you give will be treated in confidence and will only be taken into account in relation to your application. A separate criminal records check form must also be completed as detailed earlier.

If you would like to discuss what effect a conviction may have on your application, you may telephone a member of the Licensing Team on **01295 753744** in confidence for advice.

Convictions and driving licence endorsements

A person with a current conviction for serious crime need not be permanently barred from obtaining a licence but will be expected to remain free of conviction for at least 3 years, according to the circumstances, before an application is entertained. Some discretion will be applied if the offence is isolated and there are mitigating circumstances. However, the overriding consideration will be the protection of the public.

In all cases, if a number of offences have been committed a longer 'trouble free' period will be expected.

The following examples afford a general guide on the action likely to be taken where convictions are admitted.

Minor traffic offences

Convictions for minor traffic offences e.g. waiting in a restricted street, speeding, etc, should not prevent a person from proceeding with an application. If sufficient points have been accrued to require a period of disqualification of the applicant's driving licence then a Hackney Carriage and Private Hire licence may be granted after its restoration but a warning would be issued as to future conduct.

Generally, a further trouble free period will be expected after any disqualification.

Major Traffic Offences

An isolated conviction for reckless driving or driving without due care and attention, etc, will normally merit a warning as to future driving and advice on the standard expected of Hackney Carriage and Private Hire drivers. More than one conviction for this type of offence within the last 2 years could lead to refusal and no further application would be appropriate until a period of 1 to 3 years free from convictions has elapsed.

Drunkenness

With motor vehicle – a serious view is taken of convictions for driving or being in charge of a vehicle while under the influence of drink. An isolated incident would not necessarily debar an applicant but strict warning would be given as for future behaviour. More than one conviction for these offences would raise grave doubts as to the applicant's fitness to hold a licence. **At least** 3 years should elapse (after the restoration of the driving licence) before an applicant will be considered for a licence.

Not in motor vehicle – an isolated conviction for drunkenness need not debar an applicant from gaining a licence. However, a number of convictions for drunkenness could indicate a medical problem necessitating critical examination. In some cases a warning may be deemed sufficient.

Drugs

An applicant with a conviction for a drug related offence would be required to show a period of **at least** 3 years free of convictions before an application is considered or 5 years after detoxification treatment if he/she was an addict.

Indecency Offences

As Hackney Carriage and Private Hire drivers often carry unaccompanied passengers, applicants with convictions for indecent exposure, indecent assaults, importuning, or any of the more serious sexual offences, will be refused until they can show a substantial period (**at least** 3 to 5 years) free of such offences. More than one conviction of this kind would preclude favourable consideration. In either case if a licence were granted a strict warning as to future conduct would be issued.

Violence

As Hackney Carriage and Private Hire drivers maintain close contact with the public, a firm line will be taken with applicants who have convictions involving violence. **At least** 3 years free of such convictions would need to be shown before an application is considered.

Dishonesty

Hackney Carriage and Private Hire drivers are expected to be persons of trust. The widespread practice of delivering unaccompanied property is indicative of the trust that business people place in drivers. Moreover, it is comparatively easy for a dishonest driver to defraud the public by demanding more than the legal fare etc. Customers are not in a strong position when hiring a vehicle and can become 'fair game' for an unscrupulous driver. For these reasons a serious view is taken of any conviction involving dishonesty. In general, a period of **at least** 3 years free of conviction is required before considering an application.

Medical Considerations - What you have to do

A medical certificate **completed by your own GP**, or a partner in that practice who has access to your medical records, will be required on initial application then when a driver attains the age of 45, then every 5 years thereafter, then annually after the age of 65 years old. This is subject to the satisfactory completion of the report by your doctor. In the event of the medical report being valid for a lesser period or if a particular re-examination is required you will be expected to obtain a further report at the time stated.

Before consulting your doctor please read the Group 2 Medical Standards detailed below. If you have any of these conditions you may not be granted this licence. If, after reading the notes, you have any doubts about your ability to meet the standards, consult your doctor, optician or the Licensing Team for advice **before** you arrange for the medical form to be completed. The doctor will normally charge you for completing it.

In the event of your application being refused, the fee you pay the doctor is **not** refundable. Cherwell District Council has **no** responsibility for the fee payable to the doctor. The examination has to be carried out by a doctor who has access to your medical notes.

This report together with your application form, must be submitted to the Licensing Team within 4 months of the doctor signing the report.

It is most important that if, once a licence is granted, you develop symptoms of a condition which could affect safe driving (see Group 2 medical standards below) and you hold a licence, you must inform the Licensing Team at Cherwell District Council immediately.

Group 2 Medical Standards

The Council has adopted these medical standards for drivers of taxis, which are higher than those required for car drivers. The standard is used as a guideline in deciding whether an applicant is medically fit to hold a licence.

The following conditions may be a bar to holding a licence:

Epilepsy or liability to epileptic attacks – Group 2 standards state that a diagnosis of epilepsy or spontaneous epileptic attack(s) requires 10 years free of further epileptic attacks without taking anti-epilepsy medication during that 10 year period.

For conditions that cause an increased liability to epileptic attacks, the risk of attacks must fall to that of the general population.

Diabetes – Drivers with insulin treated diabetes applying for a licence will generally need specialist assessment and must meet strict criteria for diabetic control and meet the other higher medical standards (Group 2). If you have any condition other than insulin treated diabetes the doctor should be able to advise you if you meet the relevant higher medical standards. Please refer to the section 'other medical conditions' on this form.

Eyesight – All applicants must be able to read in good light with glasses or corrective lenses if necessary, a number plate at 20.5 metres (67 feet) or 20 metres (65 feet), where narrower characters are displayed (50mm) wide. The characters displayed on all new and replacement number plates manufactured from September 2001 are 50mm in width instead of 57mm. In addition applicants should have:

- a visual acuity of at least 6/9 in the better eye and
- a visual acuity of at least 6/12 in the worse eye and
- If these are achieved by correction, the uncorrected visual acuity in each eye should be no less than 3/60.

Normal binocular field – The second EC Directive requires a normal binocular field of vision for Group 2 drivers.

Monocular Vision – Drivers who have monocular vision would not generally be granted a taxi licence.

Uncontrolled symptoms of double vision – Uncontrolled symptoms of double vision will usually preclude licensing.

An applicant who is in doubt about the required eyesight standard should check with the Licensing Team. An applicant failing to meet epilepsy, diabetes or eyesight regulations may be refused a licence.

Other Medical Conditions – In addition applicants may be refused or suspended if they are unable to meet the recommended medical guidelines in the following situations:

- Within 6 weeks of – myocardial infarction, an episode of unstable angina, CABG or coronary angioplasty
- Angina, heart failure or cardiac arrhythmia which remain uncontrolled
- Implanted cardiac defibrillator
- Hypertension where the blood pressure is persistently 180 systolic or more and/or 100 diastolic or more
- A stroke or transient ischemic attack (TIA) within the last 12 months
- Unexplained loss of consciousness with liability to recurrence
- Meniere's or any sudden and disabling vertigo within the past one year with a liability to recurrence
- Insuperable difficulty in communicating by telephone in an emergency
- Major brain surgery and / or recent severe head injury with serious continuing after effects
- Parkinson's disease, multiple sclerosis or other chronic neurological disorders with symptoms likely to affect safe driving
- Psychotic illness within the past 3 years
- Serious psychiatric illness
- If major psychotropic or neuroleptic medication is being taken
- Alcohol and / or drug misuse within the past one year or alcohol and/or drug dependency in the past 3 years
- Dementia
- Any malignant condition within the last 2 years with a significant liability to metastasise to the brain
- Any other serious medical condition likely to affect the safe driving

The Council will expect each applicant for a licence to reach the standard required for drivers of Group 2 vehicles i.e. large goods vehicles, buses etc. The Council's Medical Adviser will vet all medical reports.

The Procedure After a Licence is Issued - Within 9 months of the issue of your licence you must attend a Disability Awareness Training Course. As attendance on this course is a condition of your licence, if you fail to attend, your badge will lapse after 9 months. If you have been granted a 3-month

'trial licence' and you then extend it to a 3-year licence, you must attend the Disability Awareness Training Course within 6 months from the original issue date of your licence.

When you get your licence you will be given details of the next available course date. If this date is not convenient you should contact the Licensing Team to book another date.

Refusal of an Application

In some cases applicants are refused a licence. This usually occurs as a result of convictions or on medical grounds. Refusals are effected under the Local Government (Miscellaneous Provisions) Act 1976. Applicants have a right of appeal to the Magistrates Court against any decision to refuse an application. Any appeal against the decision must be made to a Magistrates Court within 21 days of the date of receipt of the letter which would be sent. The letter will detail the reasons for refusal.

Renewal of the Licence

The Council will also take a view about the general conduct of the applicants who hold licences when they come up for renewal. Licences need to be renewed **before they expire**. A reminder will be sent before the expiry date. However, it is the responsibility of the driver to apply to the Council before the date of expiry of the licence for its renewal. Failure to comply with by-law requirements, persistent customer complaints or general behaviour recorded by the Council, which is unacceptable, can be expected to have a bearing on the continuation of a licence.

Data Protection

The Council collects information from Hackney Carriage / Private Hire Vehicle Drivers licensing purposes. The information we collect about you may be used for any of the Council's purposes. We may check information provided by you, or information about you provided by a third party, with other information held by us. We may also get information about you from certain third parties, or give information to them, to check the accuracy of information or to prevent or detect crime or to protect public funds in other ways, as permitted by law.

We will not disclose information about you to anyone outside the Council unless the law permits us to.

