

Oldham Borough Council

**Licensing Service**

Guidance to Applicants

Private Hire and Hackney Carriage Drivers

This guidance is published to assist applicants in lodging their application and understanding what information is required. It will also explain the process that will be followed in determining their application.

**This authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes.**

The Council reserves the right to undertake such relevant checks that it deems necessary on the suitability of applicants. This would include checks with DVLA, Motor Insurers and other agencies, partners and Councils. Checks may also be carried out with the UK Border Agency to ascertain an individual’s right to work in the UK.

The Council has set objectives in relation to the licensing of Drivers, Vehicles and Operators. They are: -

* Ensuring passengers have safe journeys at a transparent price;
* Ensuring vehicles are safe, accessible and reducing their impact on the environment;
* Ensuring drivers are safe and know what they are doing.
* To provide a quality service to the public within the Borough.
* The protection of children and vulnerable adults

# Application Requirements

To apply for the grant of a Dual Driver Licence you must comply with the following requirements. **Please read carefully**. The application process will be outlined further on in the guidance.

## **1.** Driving Licence

You must have held a GB or EU driving licence for a **minimum of 2 years** when you make your application to us.

If you do not fall into this category and you have a foreign driving licence you must have held a valid driving licence for a minimum of 2 years, with at least 12 months of that period being in GB or the EU.

The two years commences from the date of issue of the driving licence, not the date of passing your driving test.

## **2.** Declaration of Convictions

When you apply you will be required to complete a Statutory Declaration of Convictions.

You must declare all convictions, cautions, bind overs, fixed penalties and anti-social behaviour orders that are not protected as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013). Guidance on the filtering of these cautions and convictions can be found on the Disclosure Barring Service (DBS) website – [www.gov.uk/government/collections/dbs-filtering-guidance](http://www.gov.uk/government/collections/dbs-filtering-guidance)

Failure to declare all matters asked of you on your declaration means your application may be suspended, and you may be interviewed under caution in relation to failing to disclose the information requested. This could result in prosecution.

## **3.** Criminal Records & Driving Licence Check

The Council has an agreement with TaxiPlus (previously Personnel Checks) to carry out criminal records and driving licence checks on its behalf.

Applicants will be required to complete an online form which allows the Disclosure Barring Service (DBS) to carry out an enhanced criminal record check and issue you with a DBS Certificate and for a check to be carried out on your Driving Licence.

You will be required to pay TaxiPlus directly for this service which costs £71 and will cover the costs of the DBS and driving licence check. Use the following link to apply for your checks - [www.personnelchecks.co.uk/taxis/oldham](http://www.personnelchecks.co.uk/taxis/oldham)

Once you have applied you will be required to have your documents verified at the Post Office to prove your identity. Please see the links below for a list of approved documents:

EEA Nationals

<https://www.personnelchecks.co.uk/id-guidance-standard-and-enhanced/#EEAnational>

Non-EEA Nationals

<https://www.personnelchecks.co.uk/id-guidance-standard-and-enhanced/#NonEEAnational>

Once your criminal record check is complete, the DBS will post the certificate directly to your home address. Upon receipt of the certificate, you **must** sign up to the DBS Update Service and register your DBS certificate.

The DBS Update Service allows:

* Applicants to keep their DBS certificate up to date
* Employers to check a DBS certificate

The Update Service costs £13 per year and you can register by following this link - <https://secure.crbonline.gov.uk/crsc/apply?execution=e1s1>

If you fail to register with the Update Service you will be required to apply for a new DBS and register with your new certificate.

Information received from the DBS is kept strictly confidential whilst your application is going through the Licensing process and will be retained for no longer than is necessary.

Having a criminal record does not necessarily mean you cannot apply to be a licensed driver. The Council has a Statement of Fitness and Suitability Policy which can be found here -<https://www.oldham.gov.uk/downloads/file/2966/statement_of_policy_and_guidelines_relating_to_the_relevance_of_convictions>

## **4.** Applicants who have lived outside of the UK

Where an applicant has lived outside the United Kingdom for more than three continuous months since the age of 18 they must obtain a Certificate of Good conduct authenticated and translated into English by the relevant Embassy or Consulate in order to assess suitability and review any previous convictions.

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## **5.** Immigration Checks

Your right to work in the UK will be checked as part of your application process, this may involve the Licensing Authority checking your immigration status with the Home Office, therefore, you must provide a document or document combination suitable for this check.

Please use the following link for more information - <https://www.gov.uk/prove-right-to-work>

If there are restrictions on the length of time you are permitted to work in the UK and you are granted a Dual Driver Licence, your licence will only be issued up to the expiry of your entitlement to work. Further checks will then be made to verify your status.

If, during your licensed period, you are disqualified from holding a licence because you have not complied with the UK’s immigration laws, your licence will lapse, and you must return it to the Licensing Authority. Failure to do so is a criminal offence

## **6.** Medical Fitness

Applicants must provide a completed medical form to show they satisfy the Councils adopted Group 2 Medical Standard of Fitness.

Your medical form can be completed by your own GP or another Doctor who has access to at least a summary of your medical records. The fee for this is set by your own surgery or private company and is payable directly to them.

The Doctor completing your medical assessment must also sign a GP/Doctor Declaration to confirm whether you meet Group 2 Standards. The declaration form can be found on the licensing webpage here - <https://www.oldham.gov.uk/info/200195/business/1808/licensing/2>.

Medicals are required upon application, then every 6 years until the age of 65. From 65 onwards an annual medical check is required.

Your medical must be dated within 3 months at the time you submit your documents to the Licensing Service.

## **7.** Taxi and Private Hire Driver Assessment

New applicants must undertake the Taxi & Private Hire Driver Assessment. The cost of this must be covered by the applicant. The application cannot be progressed until a pass certificate is produced.

The assessment last approximately 45 minutes and involves:

* Driving licence and identity check
* Standard eyesight test
* Vehicle road-worthiness check
* Drive including urban, rural and where possible motorway
* A parking exercise
* A taxi manoeuvre
* Highway code questions
* “Cabology” questions

Please use one of our approved providers detailed below:

[**www.taxidrivingtest.co.uk**](http://www.taxidrivingtest.co.uk) or ring **0161 367 8929**

[**www.bluelamptrust.org.uk**](http://www.bluelamptrust.org.uk) (visit the taxi assessments) or ring **0300 777 0157**

[**www.drivesafe.org.uk/taxi**](http://www.drivesafe.org.uk/taxi) or ring **0300 123 1518**

## **8.** Photograph

You must supply a passport sized photograph along with your application. If your appearance has changed at any subsequent renewal you will be asked to produce further photographs.

Your photographs must reflect your usual appearance. If you wear glasses for driving, you may wear these on the photograph. Hats/headwear are not permitted unless they are worn for religious purposes and you wear them in the usual course of your day to day activities.

## **9.** Fees

A notice is published annually prescribing the fees and charges set in relation to licence applications. These can be found on the main licensing page of our website.

## **10.** Driver Awareness Training

As part of the application process, you are required to attend Driver Awareness Training. This training serves two purposes.

1. To deliver training on important issues relating to Child Sexual Exploitation, Equality & Diversity, Disabled Access and more.
2. To prepare you for your Knowledge Test. Provide useful examples of questions, highlight the areas you will be tested on and give you handy hints and tips.

You will be provided with an information pack by email when your application has been accepted. Your DBS must be returned prior to being able to sit the training session.

## **11.** Knowledge Test

As part of the application process you are required to demonstrate your knowledge of the Borough of Oldham alongside questions relating to conditions of driver/vehicle licences.

You must attend your Driver Awareness Training prior to sitting your knowledge test.

The test is comprised of two parts, Section A and Section B. There are 15 questions in each, and you must get a minimum of 10 correct in each section to pass. All answers are multiple choice. You are permitted **one hour** to complete the test. Applicants have a maximum of six attempts at the test paper, it will then be referred to an authorised officer who will consider refusing the application.

## 12. VRQ/NVQ Qualifications

As part of the application process you must have completed the ‘Level 2 VRQ – Introduction to the Role of Professional Taxi and Private Hire Driver’, before a licence can be granted.

Once a licence has been granted to you, you will be required to enrol on the Level 2 NVQ - Road Passenger Transport.

This qualification recognises the important role private hire and hackney carriage drivers play in carrying passengers effectively and safely. This qualification also recognises the ever changing and diverse nature of the driver’s role.

To complete the training, you will need to demonstrate you have the knowledge and understanding necessary for you to carry out these tasks effectively and in accordance with the relevant regulations.

You must complete the NVQ within **two-years** of obtaining your licence.

The enrolment & training for both courses will take place at Mantra Training, Greengate, Middleton, M24 1RU. You can book the course directly with them by emailing phil.r@mantralearning.co.uk or angie.coleclough@mantralearning.co.uk. Please ensure you leave your full name and contact number when you email.

## **13.** Duration of Licences

All Dual Driver Licences are issued for a period of 3 years and are not transferrable.

## **14.** Renewals

Both your Licence and Badge display the expiry date of your Dual Driver Licence. It is your responsibility to ensure that you submit your renewal application prior to the expiry date of your licence. You may submit a renewal application up to 8 weeks in advance of your licence expiring.

Failure to submit your renewal application will result in your licence not being renewed. If you fail to renew you will be required to submit a New Dual Driver application.

If you submit a new application **within 6 months** of your old licence expiring you will not be required to re-sit the knowledge test, however, you will be required to demonstrate your understanding of current licence conditions.

If you submit a new application **later than 6 months** of your old licence expiring, you will be required to re-sit the knowledge test.

It is important your DBS is registered to the Update Service Scheme. If it is not and you apply as a new driver you will be required to apply and pay for a new DBS certificate and must wait for it to be returned prior to a licence being issued.

## **15.** HMRC Tax Conditionality

From April 2022 Licensing authorities must carry out checks on applicants to ensure they are aware of their tax responsibilities or have completed a tax check. As a new applicant you must confirm you are aware of your tax responsibilities. We will not be able to grant a licence without this. For further information please see the below link

## [**www.gov.uk/guidance/changes-when-dealing-with-taxi-private-hire-or-scrap-metal-licence-applications-from-april-2022**](http://www.gov.uk/guidance/changes-when-dealing-with-taxi-private-hire-or-scrap-metal-licence-applications-from-april-2022)

## **16.** Refusals/Revocations

If you are referred to a Driver Panel either before or during your licence period, you will be interviewed by a Licensing Officer in advance of the hearing. The Officer will obtain all the details surrounding the conviction(s) so that they can write a report on the matters to be considered.

You will be required to attend the Driver Panel so that the Committee can put any questions they may have to you. If you fail to attend, they may decide in your absence.

You have the right of appeal of any decision made against your application to the Magistrates Court within 21 days of that decision being given to you in writing.

If your application is refused, or your licence is revoked at any time your details will be entered into the National Register of Taxi Licence Refusals & Revocations (NR3).

The information entered onto NR3 will be limited to your:

* Name
* Date of birth
* Address and contact details
* Driving licence number
* Decision taken (but not the reason for it)
* Date of decision
* The date the decision took effect

This information will be processed and shared in accordance with the Data Protection Act (DPA) and General Data Protection Regulation (GDPR), and is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the licensing authority – that is, assessing whether an individual is a fit and proper person to hold a Hackney carriage of PHV licence.

Recording this information on NR3 does not mean that you will be automatically prevented from securing a licence in future, but it is intended simply to ensure that licensing authorities are able to access your full licensing history should you make further licence applications elsewhere. Information will be held on the register for 25 years. If during that time another authority requests further details relating to this decision because you have applied to it for a licence, we may provide our reasons for the refusal of this application, in accordance with our policy.

You have various rights in relation to your data; the right to request access to your data; the right to rectification or erasure of your data; the right to restrict processing of your data, and the right to object to the processing of your data for this purpose. The authority will consider any such requests and respond within one month.

If you wish to raise any issue related to the data protection legislation, including by relying on any of the rights afforded to data subjects under the GDPR, you can do so to the authority’s Data Protection Officer. This includes submitting a subject access request.

You always have the right to make a complaint to the Information Commissioner’s Office.

# Application Process

Things you need to know before you start. You must:

* Be 21 or over
* Be eligible to work in the UK
* Have held a driver’s licence for 2 or more years

If you meet the above criteria, you need to have all the relevant documents before you apply. The documents are listed below:

* Current drivers’ licence
* Current passport (if you have one)
* Proof of right to work (if your passport is not British you will need to prove this another way)
* Proof of National Insurance number
* Recent passport sized photograph

**If you have lived outside the UK for more than 3 continuous months, since the age of 18, a Certificate of Good Conduct is required. Please refer to our Hackney Carriage & Private Hire Licensing Policy for more information.**

In addition to the above, you are also required to obtain the following:

* DBS Certificate & Driving Licence check – available from TaxiPlus via their website, <https://www.personnelchecks.co.uk/taxis/oldham/>. You must sign up to the DBS Update Service with your certificate, within 30 days of the date on it. Failure to do so will result in a new DBS being required. Details on this service can be found here – <https://www.gov.uk/dbs-update-service>.
* Completed Group 2 Medical Form – this must be completed by your GP or a Doctor with at least a summary of your medical records. The D4 Medical form must be used, and you must also have the GP/Doctor sign the Declaration Form to state whether you have met Group 2 standards or not. These forms are available on our website at <https://www.oldham.gov.uk/info/200204/licensing/2702/hackney_carriages_and_private_hire/2>. Your medical must be dated within 3 months at the time you submit your documents to the Licensing Service.

Once you have all the required documents you must email the business support team on newdriverapplications@oldham.gov.uk to request an appointment to submit them in person. You will be required to produce all the above documents at this meeting; therefore, it is essential you have them all before you contact the team.

## Stage 1 – Emailing the team:

When you have all your documents, email the business support team to let them know you are ready to apply. They will respond with a date and time for you to attend the office for your new driver appointment.

## Stage 2 – New Driver Appointment:

During your appointment a team member will take check and take copies of all your documents and create an online account for you. Once this has been set up, we will provide you with instructions containing the login details and how to access it. We will also give you instructions on how to change your password so that your account is secure.

## Stage 3 – Submit Application:

Following your appointment, you must access your online account, complete, and submit your application form. This will include completing a declaration of previous convictions. You will also be required to pay the relevant fee. The system will notify us automatically when you have submitted it. You must submit and pay for your application within 30 days of your New Driver Appointment. Failure to do so will result in your documents being destroyed and the process re-started.

## Stage 4 – Confirmation of Application Acceptance:

Once we have been notified of your application, a member of the team will contact you. You will be provided with a “New Applicant Document Pack” by email. This pack will include a Welcome Letter. You must read through this letter carefully as it provides information on all the other documents within the pack.

## Stage 5 – Driver Awareness Training:

You must attend this training before you are able to proceed with the application. The training serves two purposes;

1. To deliver training on important issues relating to Child Sexual Exploitation, Equality and Diversity, Disabled Access and more
2. To prepare you for your Knowledge Test, providing useful examples of questions and to highlight the areas you will be tested on, giving you handy hints and tips

These sessions are carried out virtually, and ideally you will need an iPad/tablet, computer or laptop to attend so that your screen is large enough to view the presentation. You are permitted to use your mobile device; however, your visibility may be reduced.

You will be contacted with the date and time for your virtual training session as soon as a date becomes available. The training will be delivered via Microsoft Teams, and full instructions on how to prepare and join the training will be attached to your appointment email.

## Stage 6 – Knowledge Test:

Once you have attended your Driver Awareness Training, you will be contacted to sit your Knowledge Test.

The test is comprised of two parts, Section A and Section B. There are 15 questions in each, and you must get a minimum of 10 correct in each section to pass. All answers are multiple choice. You are permitted **one hour** to complete the test and a maximum of six attempts at the paper.

## Stage 7 – Grant of Licence:

When all documents are received and verified and stages 1-6 are completed, your licence will be granted.