

## Oldham Borough Council Licensing Service

### Guidance to Applicants Private Hire & 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 driving licence for a **minimum of 2 years** when you make your application to us.

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

As part of the online application form 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 and Driving Licence Check

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

You will be required to pay TaxiPlus directly for this service and it will cover the costs of the DBS and driving licence check. Use the following link to apply for your checks - [Oldham Metropolitan Borough Council: DBS and DVLA Checks for Taxi, Private Hire and Hackney Drivers — TaxiPlus](#)

Once you have applied you will be required to have your documents verified to prove your identity. TaxiPlus will provide information on how you must do this, and which documents you can use.

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 Update Service costs £13 per year, and you can register by following this link - [DBS Update Service - Registration](#)

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 - [Fitness and Suitability of Applicants and Licensing Holders](#)

If drivers have a non-UK licence, there is an additional fee of £18 for the DVLA check. After payment, you will be sent a mandate to complete. It takes up to one month for the result to come back.

In circumstances where drivers have a non-UK licence, it is generally better to obtain a UK licence and run the checks on this instead. As the conversion is generally free

and simple, it's encouraged to convert it to a UK licence before completing a licence check to avoid the extra fee.

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

Where an applicant has lived outside the United Kingdom for more than three continuous months in the last 5 years, they must obtain a Certificate of Good conduct authenticated and translated into English by the relevant Embassy or Consulate. This is to assess suitability and review previous convictions.

#### 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. 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)

#### 7. 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. Both forms required can be found online at [www.oldham.gov.uk/taxis](http://www.oldham.gov.uk/taxis)

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.

## 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 at [www.oldham.gov.uk/taxis](http://www.oldham.gov.uk/taxis).

## 10. Driver Awareness Training & Knowledge Test

All applicants are required to attend a Driver Awareness Training course, which will be directly followed by a Knowledge Test.

The test comprises of 20 multiple choice questions and applicants will be allowed 1 hour to complete it. The questions will cover the following topics as a minimum (all of which will be covered in the training provided):

- Licensing conditions/policy
- Customer care skills
- Basic numeracy skills
- Child Sexual Exploitation (CSE)
- Road signs
- Highway code

## 11. Duration of Licences

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

## 12. 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.

### 13. 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.

To help strengthen taxi and private hire vehicle (PHV) licensing for the benefit of both passengers and responsible taxi and PHV drivers, the Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022 has established a National Database: The National Register of Refusals, Revocations and Suspensions (NR3S), hosted by the NAFN Data and Intelligence Services

The purpose of the NR3S Register is to provide a mechanism for licensing authorities to share details of individuals who have had a taxi or PHV driver licence suspended, revoked or an application for one refused.

From 7 April 2023, all licensing authorities in England are required to:

- Add details of any refusal to issue or renew a taxi or PHV driver licence application to the NR3S Register relating to safeguarding or road safety concerns.
- Record details on the NR3S Register any revocation or suspension of a taxi or PHV driver licence relating to safeguarding or road safety concerns.
- Search the NR3S Register before issuing or renewing any taxi or PHV driver licence.

The information recorded on NR3S in respect of your case is limited to:

- Licensing Authority URN
- Name of Licence Holder
- Date of Birth
- Driving Licence Number
- Taxi Licence Type
- Address
- Decision Taken on Refusal, Revocation or Suspension
- Date of Decision
- Date decision takes effect, if different to date of decision
- Date of any subsequent change to the decision, and the date it takes effect, if different
- National Insurance Number
- Licence Holder Contact Details
- If a suspension, the date on which the suspension is to end

Where an applicant's details are matched on NR3S during a search, this will be followed up separately between the licensing authorities. Any such request in

relation to your record will be processed in accordance with the authority's published policy at [www.oldham.gov.uk/licensing](http://www.oldham.gov.uk/licensing).

The legal basis for processing this information is that it 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. The purpose is to assess whether an individual is a fit and proper person to hold a taxi or PHV licence. All data processing and sharing will comply with the Data Protection Act (DPA) and the General Data Protection Regulations (GDPR). It is not intended that any NR3S data will be transferred out of the United Kingdom.

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 relying on any of the rights afforded to data subjects under the GDPR, you can do so by contacting the authority's Data Protection Officer at [DPO@oldham.gov.uk](mailto:DPO@oldham.gov.uk). 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 and 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](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.**

#### Stage 1 – Register your online account and submit your application:

You will be required to register for an online account using this link - [Online Client Account](#). Once you have registered you must submit your application and pay the fee.

#### Stage 2 – New Driver Appointment:

The Licensing Service will be automatically notified of your application and will contact you with an appointment date and time to attend the office and produce all your documents. It is important you have all your documents before you apply, as you will be refused an appointment until you have them.

#### Stage 3 – Driver Awareness Training & Knowledge Test:

Following your appointment, you will be given a date and time to attend your training and knowledge test.

The training will last for approximately 90 minutes and will cover the following as a minimum:

- Disability awareness
- Equality, diversity, and inclusivity
- Safeguarding – Child Sexual Exploitation and Vulnerable Adults
- County Lines
- Licensing & other relevant legislation
- Licensing condition
- Knowledge test preparation

The test will comprise of 20 multiple choice questions. To successfully pass the test you must get at least 15 questions correct (75%). You will have 1 hour to complete the test.

#### Stage 4 – Grant of Licence:

When all documents are received and verified and stages 1-3 are completed, your licence will be granted.