**HACKNEY CARRIAGE & PRIVATE HIRE**

**APPLICATION FOR DRIVER LICENCE**

**FULL GUIDANCE NOTES FOR NEW & RETURNING**

**DRIVERS**

These Guidance Notes are not exhaustive, nor are they intended to offer legal opinion. They may also be revised from time to time. Applicants are advised to seek their own legal advice in the event of any queries and/or to speak to the Taxi Licensing Service about an application. The Council email for the Service is taxis@crawley.gov.uk

The Council has produced a Hackney Carriage and Private Hire Licensing Policy, last updated in 2023 and is kept under review and amended from time to time via the Councils Delegated Officers and/or the Councils Licensing Committee. As part of the Policy review, the Council gave due consideration to the Department For Transports Statutory Standards and included the relevant parts Statutory-taxi-and- private-hire-vehicle-standards 2020

In addition, the Council has had due regard to the Taxi and Private Hire Best Practice Guidance 2023 Taxi and private hire vehicle best practice guidance - GOV.UK (www.gov.uk)

The latest Hackney Carriage and Private Hire Licensing Policy covers all aspects of the hackney carriage and private hire regime. All applicants, both new and current licence holders are strongly recommended to read the Policy in full as applicants will be asked to demonstrate your knowledge and understanding of this. Further information on the Council's Hackney Carriage and Licensing Policy can be found here: Private Hire and Hackney Carriage Licensing Policy From 01042022

Please note that this Policy is kept under constant review and may be subject to change. It is a key document and the applicant and/or licensed drivers responsibility to ensure that they remain up to date and comply with the terms of this Policy, alongside relevant legislation and licence conditions/bylaws.

The primary and overriding principle of the hackney carriage and private hire licensing regime is public safety. In determining applications, the Council must determine whether an applicant is fit and proper to hold a licence.

In determining an application, individuals are required to declare all convictions cautions, warnings, convictions and other offences including all driving matters to include offences, warnings and any other penalties. The Council as Licensing Authority is entitled to consider all convictions spent or otherwise under Section 7(3) Rehabilitation of Offenders Act 1974.

Applicants must also disclose to the Council if they are subject to investigation, on bail and/or are awaiting trial for any matter.

Applicants must also disclose all medical matters at the time of application and any change to this and associated medication during the application process and if licensed, immediately and in any event before driving a licensed vehicle.

Each application is considered on its own merits.

PAYMENT MUST BE MADE AT THE TIME OF APPLICATION AND IS NON- REFUNDABLE.

PAYMENT DOES NOT GUARANTEE THE ISSUE OF A LICENCE, NOR DOES IT CONVEY AN INDIVIDUAL WITH THE RIGHT TO OPERATE AS A LICENSED DRIVER UNTIL ALL PARTS OF THE LICENSING PROCESS ARE COMPLETE.

THE TAXI LICENSING SERVICE CANNOT PROCESS YOUR APPLICATION UNLESS & UNTIL THE RELEVANT PAYMENT IS MADE

## Hackney Carriage Drivers Licence (HCD)

A Crawley Borough Council Hackney Carriage Driver may drive a 'public hire' vehicle licensed by this Authority. The vehicle must have public hire insurance, may use appointed 'Taxi' ranks in the Borough and may also be 'hailed' in a street. Persons holding a HCD licence and operating a licensed vehicle are bound by bylaws as well as other licence conditions. Hackney Carriage Vehicles are often referred to as "taxis" although this is also a generic term that can be used to refer to both hackney carriage and private hire vehicles

## Private Hire Drivers Licence (PHD)

A Crawley Borough Council PHD may drive a 'private hire' vehicle licensed by this Authority, must have 'private hire' or 'hire and reward' insurance, must drive on a circuit for a Crawley Borough Council licensed 'Operator', whilst on this circuit. All 'hire and/or reward' passengers must be pre- booked only through the 'private hire operator'. A PHD may not use or park a vehicle on or near any appointed 'Taxi' rank (this may be deemed as plying for hire.) A PHD may not drop-off or pick-up any passenger on or near an appointed 'taxi' rank and may not be 'hailed' in the street.

## Fit & Proper Person Test

There are several requirements to be satisfied before the Council decides whether to grant a licence to an individual driver, private hire operator or vehicle proprietor. The Council must be satisfied that an applicant is a "fit and proper" person before it may grant a person a driver or operator licence. There is no statutory definition of "fit and proper." The Council expects applicants to comply with the requirements of hackney carriage and private hire law/bylaws, licence conditions and the Councils Hackney Carriage and Private Hire Policy, **Private Hire and Hackney Carriage Licensing Policy From 01042022**

It expects all licence holders to always comply with the requirements of all relevant legislation, the conditions of licence and the Council's Penalty Points and Code of Conduct Scheme. Please note that once a licence is granted, a licensed driver and/or vehicle remains such for the duration of that licence and drivers/vehicles are expected to comply with the law,bylaws/ licence conditions and requirements and meet the required standards.

Any failure to do so may lead to refusal of an application, prosecution and/or enforcement action against the licence holder (including suspension, revocation, or refusal to renew) or the imposition of Penalty Points under the Council's Penalty Points Scheme. Additional conditions or requirements may also be imposed where considered necessary.

If there is any doubt as to the suitability of a person to act as a licensed driver, the matter may be referred to Health, Safety and Licensing Manager and/or the Head of Service, Community Services for consideration and determination.

Applicants are expected to notify the Council of **any change** to their circumstances after they have submitted an application, during consideration of this application and before it is decided, including any if they have been charged with a criminal offence and/or any cautions, warnings or driving endorsements, if there is a change to their medical condition, medication taken or changes to their driving (DVLA) record and associated DVLA Driving Licence or other consent to drive.

**In summary all applicants for the grant of a driver's licence, must satisfy a range of criterion, including the following:-**

## 1. DRIVING HISTORY

(a) Have held or be in possession of a full UK driving licence for at least **12 months** and present same for inspection at the time of application. The expectation of the Council as Licensing Authority is that all applicants will hold a full, clean driving licence without endorsement(s.) However, applicants with **no more than 3 points** on their DVLA licence at the time of application and who have a good track record of compliance with Road Traffic Acts, the Highway Code, hackney carriage/private hire legislation, safeguarding obligations and any other regulatory framework relevant to their role(s) and other legislation , Careful consideration will be given to the suitability of applicants where there is a history of non compliance in relation to driving matters, such as disqualification from driving, driving endorsements and Penalty Points on any DVLA Drivreding Licence and whether they are fit and proper to hold a licence. Regard will also be had to any Council Penalty Points, warnings and feedback from other Licensing Authority if licensed previously or elsewhere.

(b) Applicants to submit a completed DVLA Driving Licence Disclosure Form. This will be provided and can be completed at the time applicants are submitting an application. This allows the Council as Licensing Authority to carry out checks on an applicants DVLA driving licence using a checking facility called DAVIS (or other nominated system) This must be completed in full to allow the application to progress.

(c) If an applicants DVLA licence is revoked or applicants are disqualified for any reason, the Council will consider the refusal and/or revocation of your Private Hire or Hackney Carriage Driver's Licence if it is a new applicant or an already licensed driver who holds such a licence, The application may be refused and a new licence will not be issued if the applicant is applying for the first time. This will be considered carefully within the context of public safety and compliance.

## 2. GROUP 2 (GROUP II) MEDICAL CERTIFICATE

A medical must be carried out on the Council's prescribed form **by your own medical practice and your own GP**. The medical assessment will be carried out to Public Service Vehicle (PSV) DVLA Group 2 specification.

The Council requires all applicants and drivers to pass a Group 2 Medical Test to confirm an individual is "fit and proper" to hold a licence. This medical must be completed to the satisfaction of the Council **before** a licence can be issued. The Council will only accept a medical certificate produced on the Council's prescribed form. No other form of certificate will be accepted. This will be referred to the Councils Nominated Medical Practitioner for comment. **Applicants will be required to cover the cost of any medical assessment by the Councils Nominated Practitioner.**

The Medical Form will be provided when applicants submit an application. A medical is required every three years until you reach the age of 60 and then annually from the age of 60. If there are matters needing clarification or further queries or concerns regarding an applicant's medical fitness, either at the point of application or during the term of any licence, the case will be referred to the Councils Authorised Medical Practitioner for their expert view.

**Applicants will be liable for the cost of this initial assessment, any referral and subsequent report from the Councils Nominated Medical Practitioner.**

Please note that this is **usually** the last stage of the licensing process, unless there are any specific concerns regarding an applicant's medical fitness and their ability to attain Group II Medical Standards.. in which case an earlier medical assessment may be requested in order to prove that an applicant is able to meet of the required Group II Medical standards**.**

## 3. ENHANCED CRIMINAL RECORD CHECK & DBS UPDATE SERVICE

- On the day applicants submit an application to become a licensed driver, applicants will be required to complete an Enhanced DBS (Disclosure & Barring Service) Disclosure Application Form, in the presence of a member of the Taxi Licensing Service. . Applicants will need to bring various forms of identification for this to proceed

- Current Passport
- DVLA photocard driving licence
- Proof of National Insurance (NI) number (not card) This can be found on any correspondence from HMRC or old payslip which is not more than 3 months old.
- Proof of residential address
- Date applicant moved in to that property (MM/YYYY)
- Any previous addresses in the last 5 years and dates moved in and out of each property

(a) Please note that the DBS will disclose to the Council **all** records held under the applicant's name. When completing the DBS application form, applicants are required to state if they have been convicted of a criminal offence, received a police caution and/or warning as well as if they are under current investigation for a matter**.**

**It is key that you disclose all matters**.

This check will take place as part of the application process, and then every **6 months** after that time**.**

**It is now compulsory for individuals wishing to remain in the Taxi Trade to subscribe to the DBS Update Service and you will be remined of this when you apply.**

It is an individuals responsibility to maintain an active member of the DBS Update Service. It enables the Council to carry out appropriate checks during the currency of a licence and helps to ensure that applicants, and current licence holders remain “fit and proper.”

Failure to subscribe and maintain this may result in an application being refused or deemed invalid. and may result in the suspension or revocation of a licence if already held

(b) Applicants will need a full 5 year address history, showing the month and year that you moved into and out of each address. Applicants may be asked to provide proof of these addresses.

(c) Applicants who have resided or spent time outside the UK for all or any part of the 5 years, prior to the date of application will be required to submit official and certified written confirmation of their good character, from the country(s) in which they have lived during that 5 year period.

This information, known as a Certificate of Good Conduct will need to be translated into English if necessary and verified in writing as accurate and reliable by the country(s) corresponding Embassy(s) in London. It must be an original and validated Certificate.

**If you cannot provide this information, your application cannot proceed.**

(d) A DBS Disclosure from any other organisation will not be accepted unless that original certificate can be provided, and it has been registered and remains registered with the DBS Update Service. They are not transferrable.

(e) All parties must make themselves aware of the DBS Good Practice Guidance DBS Best Practice

(f) As referenced above, once you have a DBS disclosure, applicants **must** register with the DBS Update Service as it is now a compulsory part of the process for all applicants and existing licence holders.

By registering applicants will no longer need to do a face to face or other DBS application **unless you circumstances have changed.** However, to maintain applicant Update status, applicants will be required to pay an annual subscription fee to the DBS Update Service Please contact the Taxi Licensing Service, the DBS Update Service or seek your own independent advice for further information.

(g) Applicants are reminded to familiarize themselves with the DBS Privacy Policy www.gov.uk/government/publications/dbs-privacypolicies

(h) Applicants are **required** to read the Councils Hackney Carriage and Private Hire Licensing Policy which was adopted on 1st April 2022 and was revised most recently in 2023. It is kept under regular review and applicants need to address any matters of concern arising from an application. This contains key information regarding the fit and proper person test, and reference to all previous history relating to offences, driving endorsements, penalty points, cautions, fixed penalty information and much more. **Private Hire and Hackney Carriage Licensing Policy From 01042022**

(i) Applicants are advised to note the Councils Data Handling Policy – please note there are some exceptions and this is under review **Council Data Handling Policy**

## 5. PHOTOGRAPHS

(a) The Taxi Licensing Service will take photographs of applicants. These will need to show a true likeness of the applicant and will be displayed on any driver's badge issued. Applicants will need to update these images at t he time of renewal of any licence so that any changes to appearance can be reflected

## 6. COMPULSORY TAXI DRIVER (DRIVING) ASSESSMENT

(a) All applicants will be required to pass the Taxi Driver Driving Assessment and provide certificated proof, within the last 5 years, before the issue of the licence. Providers of this service can be found via the Councils website Compulsory Taxi CoursesAll applicants wishing to drive a designated wheelchair accessible vehicle (WAV) will also be required to pass the Taxi Driver Assessment Wheelcair Accessibility Test

## 7. WHEELCHAIR & WHEELCHAIR ACCESSIBILE VEHICLES

This is a requirement if an applicant wishes to operate and drive a wheelchair accessible vehicle (WAV) This course must be obtained and evidence provided before being allowed to do so. It must have been passed in the last 5 years if already achieved. Details of this course can be found Compulsory Taxi Courses can be found here: Wheelchair Assessment | THE BLUE LAMP TRUST

## 8. COMPULSORY DISABILITY AWARENESS TRAINING/TEST

All new applicants will need to fund and complete online Disability Awareness Training via a Council approved supplier. It includes a formal assessment which you must pass. Full details of this test can be found here. If this has been attained in the last 5 years. Disability Awareness | THE BLUE LAMP TRUST

## 9. COMPULSORY SAFEGAURDING TRAINING

All new applicants will need to complete an online Essential Safeguarding Training for Taxi Drivers via West Sussex County Council or the Blue Lamp Trust. Full details of this test can be found on the Councils website.

## 10. COMPULSORY ENGLISH LANGUAGE STANDARD

(j) From 1st April 2022, the Council introduced a requirement for applicants and current drivers to demonstrate a good understanding of written and spoken English. New applicants will need to demonstrate that they have attained a minimum standard of English and hold a formal qualification. If this is not in evidence, an application cannot proceed until the minimum standard is attained. Full details can be found here: **Private Hire and Hackney Carriage Licensing Policy From 01042022**

If an applicant does not hold a formal English Language Qualification, and/or it is not of the required standard specified by the Council, applicants will be interviewed by a Licensing Officer to determine that they have a good understanding of written and spoken English.

See Section 3.13 of the Council's Taxi & Private Hire Policy for more details.

## 11. KNOWLEDGE TEST

Applicants must take and pass the Council's computerised Knowledge Test. Both hackney carriage and private hire driver applicants **must** take and pass this test as applicants.

Please note that this Knowledge Test is in English and is conducted in exam conditions. Applicants are not permitted to use notes or learning aids during the test, nor speak with other applicants or attempt to copy another applicant's information.

Anyone found cheating or sharing the content of the Knowledge Test will be disqualified and prevented from re-applying for a hackney carriage or private hire licence of any sort for 3 years.

**Please advise the Councils Taxi Licensing Team at the time of application if you have any specific support needs.**

**If you are of the view that you should be exempt from taking the Council's Knowledge Test, you must provide written reasons and evidence as to the reasons.**

**This should be sent to taxis@crawley.gov.uk for the attention of the Health, Safety and Licensing** Manager**. This request for exemption will be considered and a response provided as to whether or not an applicant may or may not be exempted**

## HACKNEY CARRIAGE - KNOWLEDGE TEST

Any person wishing to apply for a hackney carriage driver's licence must undertake the driver computerised Knowledge Test unless exempted.

This is a multiple choice computerised test and requires an excellent knowledge of the Highway Code, Crawley's streets, roads (including Terraces, Closes and walkways) major buildings, pubs, hotels, public buildings and other key landmarks. There are different categories, covering local knowledge of the Crawley, knowledge of the Highway Code and Road Signs, Hackney Carriage Byelaws and Conditions and Safeguarding and Child Sexual Exploitation (CSAE)

## PRIVATE HIRE – KNOWLEDGE TEST

Any person wishing to apply for a private hire driver's licence must undertake the driver computerised Knowledge Test unless exempted.

There are different categories of questions, including local knowledge of the Crawley, Knowledge of the Highway Code and Road Signs, Private Hire Licence Conditions, Safeguarding and Child Sexual Exploitation (CSAE)

**If there are any additional support needs or difficulties anticipated with the Knowledge Test, applicants must make the Taxi Licensing Service aware within sufficient time prior to the actual date to the test.**

The Taxi Licensing Service will email an applicant with a date for the Knowledge Test. only where the fee has been paid in full will an applicant be permitted to take the driver Knowledge Test. The fee is non-refundable.

- If applicants fail to attend an agreed Knowledge date, the fee will be retained and applicants will be required to re-book the test at extra cost. Please be aware that the Tests are in high demand and there may be a delay in obtaining another Test date.
- If applicants want to cancel and / or rearrange a Knowledge Test, they must contact the Taxi Licensing Service by email taxis@crawley.gov.uk at least 2 working days before the scheduled test date, otherwise the fee will be retained

A pass result in the driver Knowledge Test is an essential criteria in determining whether a licence should be granted. An applicant will be notified if they have passed or failed at the conclusion of the test.

No mechanical/electrical devices or other means of assistance will be allowed into the test. Any person found to be cheating or trying to view another persons answers will be excluded from the test, and their application refused, Applicants will be asked to read and complete a declaration at the start of the test to confirm that you will adhere to the rules of the test.

Applicants who are attending a Knowledge Test **must** bring with them the following:-

1. Photographic Identification. (e.g. passport or photographic DVLA driving licence)
2. The Council's email and/or letter of Knowledge Test notification.

If an applicant fails to bring any of the above documents, the test will be cancelled and a further Knowledge Test will have to be arranged at a later date. The cost for the first Knowledge Test is included in the initial fee, and applicants will charged for any tests which cannot proceed, including

1, If the applicant fails to bring the relevant documentation to the test.
2. If the applicant fails this test, there will be a further charge for any subsequent "re-takes
3 If the applicant fails to give at least 2 working days notice of non attendance to

taxis@crawley.gov.uk

The test will be conducted and controlled by Officers of the Council at the Town Hall. At the end of the test and applicants will be advised of the results on screen, but must follow the instructions given by Officers invigilating the test.

**Please do not discuss any results with Officers at the time of the test as this can be disruptive and unhelpful to other taking the test. Applicants are able to contact the Taxi Licensing Service to discuss matter the next working day, but will not be able to tell applicants where errors were made.**

**PLEASE BE AWARE THAT OFFICERS WILL NOT BE ABLE TO ASSIST APPLICANTS IN ANY PART OF THE KNOWLEDGE TEST, NOR ADIVSE YOU OF ANY ERRORS AND/OR CORRECT ANSWERS. APPLICANTS ARE REQUIRED TO ATTAIN A SPECIFIC PERCENTAGE OF CORRECT ANSWERS TO ENABLE YOU TO PASS AND WILL BE ADVISED OF THIS AT THE START OF THE TEST.**

**PLEASE NOTE THAT APPLICANTS ANSWER FOR EACH QUESTION WILL BE RECORDED AND APPLICANTS WILL NOT BE ABLE TO RETURN TO A QUESTION IF IT IS NOT ANSWERED**

## 12. PROOF OF IDENTIFICATION

(a) Submit **two** forms of photo identification, one of which must be a current Passport/EU Identity Card or Travel Document. The following documents may also help to support proof of identity; however, they will not be accepted as an alternative to adequate photographic identification (Only original documents/certified copies will be accepted).

- Birth Certificate
- P45/P60
- Photocard driving licence
- Marriage Certificate

(b) Submit two forms of proof of address, from the list below. Please note, these documents must be no more than 3 months older than the date of issue.

- Utility bill (**not** a mobile phone bill)
- Credit Card Statement, Bank Statement or Mortgage Statement
- Rent Account or Council Tax Record

(c) Please ensure that the name, date of birth and address corresponds on all forms of identification provided. If names are not identical on each document the application will not be accepted until all the documents show the same name.

**(d) PRINTED PROOF OF APPLICANTS NATIONAL INSURANCE NUMBER IS ESSENTIAL –**

**(e) The Taxi Licensing Service cannot accept the National Insurance card. A previously issued payslip or tax return is acceptable if showing your name and National Insurance number.**

## 13. HACKNEY CARRIAGE DRIVER LICENCE FEES (Subject to review & change)

An application fee of £170.80 will be paid at the time the application is submitted. This fee is **non-refundable** and is broken down as follows:- **(Please note that these are subject to review and change. Additional items may be added)**

| | |
|---|---|
| £45.00 | Application Fee (payable at the time of application) |
| £46.40 | First knowledge test (Subsequent tests £46.40 |
| £38.00 | each). Enhanced Criminal Record Check (DBS) |
| £10.30 | DVLA Check |
| £15.00 | Street Listing (if printed copy needed) |
| £16.10 | Driver Compliance Checks |

When applicants have met all the criteria and the Service are in a position to issue an applicant with a licence, a further fee will be required, for the full term of 3 years.

| **Private Hire Drivers** | |
|---|---|
| Initial checks for application for drivers' licence | £170.80 but may vary |
| Driver licences new/renewal 1 year | 83.40 |
| Driver licences new/renewal 2 year | 166.40 |
| Driver licences new/renewal 3 year | 248.60 |
| New Drivers Application Admin Fee | 45.00 |
| Replacement badge | 15.90 |
| Knowledge retest | 46.40 |
| Replacement Medical Form | 9.90 |
| Additional Expert Medical Advice | 46.80 |
| *Street Listing | 15.00 |
| Criminal Records Bureau Enquiry Enhanced/Standard | 38.00/18.00 |
| DVLA Driving Licence Enquiry | 10.30 |
| Additional fitness and compliance checks | 16.10 |
| **Private Hire Vehicles** | |
| New vehicle without meter licence | 365.50 |
| New vehicle with a meter licence | 377.50 |
| Vehicle without meter licence renewal | 333.00 |
| Vehicle with meter licence renewal | 345.00 |
| Electric Vehicle New | 127.10 |
| Electric Vehicle Renewal | 168.70 |
| Vehicle licence transfer of vehicle | 168.70 |
| Vehicle Licence Transfer of Ownership | 41.80 |
| Replacement bracket | 32.00 |
| Replacement External Plate | 13.60 |
| Replacement Internal Plate | 6.80 |
| Adhesive Plate | 12.10 |
| Replacement Licence | 6.80 |
| Plate Deposit | 27.50 |
| PHV HPI CHECK | 50.70 |
| **Private Hire Operators Licence** | |
| Application 1-5 vehicles | 206.90 |
| Renewal 1-5 vehicles | 206.90 |
| Application 6-10 vehicles | 412.60 |
| Renewal 6-10 vehicles | 412.60 |
| Application 11-20 vehicles | 820.10 |
| Renewal 11-20 vehicles | 820.10 |
| Application 21-50 vehicles | 1570.40 |
| Renewal 21-50 vehicles | 1570.40 |
| Application 51-100 vehicles | 2069.10 |
| Renewal 51-100 vehicles | 2069.10 |
| Application 101 plus vehicles | 3100.40 |
| Renewal 101 plus vehicles | 3100.40 |
| Replacement of lost or stolen paper licence | 6.80 |
| **Hackney Carriage Drivers** | |
| Initial checks application for drivers licence | £170.60 but may vary |
| Driver licences new/renewal 1 year | 83.40 |
| Driver licences new/renewal 2 year | 166.40 |
| Driver licences new/renewal 3 year | 248.60 |
| New Drivers Application Admin Fee | 45.00 |
| Replacement badge | 15.90 |
| Knowledge retest | 46.40 |
| Replacement Medical Form | 9.90 |
| Additional Expert Medical Advice | 46.80 |
| *Street Listing | 15.00 |
| Criminal Records Bureau Enquiry Enhanced/Standard | 38.00/18.00 |
| DVLA Driving Licence Enquiry | 10.30 |
| Additional fitness and compliance checks | 16.10 |
| **Hackney Carriage Proprietors (Vehicles)** | |
| New vehicle licence | 498.80 |
| Vehicle licence renewal | 378.30 |
| Electric Vehicle New | 127.10 |
| Electric Vehicle Renewal | 168.70 |

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|---|---|
| Vehicle licence transfer of vehicle | 168.70 |
| Vehicle Licence Transfer of Ownership | 41.80 |
| Replacement bracket | 32.00 |
| Replacement External Plate | 14.00 |
| Replacement Internal Plate | 6.80 |
| Adhesive Plate | 12.10 |
| Replacement paper licence | 6.80 |
| Plate Deposit | 27.50 |
| Unmet Demand Survey Fee | 42.80 |

Please note that these fees are subject to change*

There are supplementary tests which form part of the application process for the grant or renewal of a licence as listed above and these must be funded and passed by the applicant

## 14. IMMIGRATION STATUS & RIGHT TO WORK

The Council as Licensing Authority works with the Home Office and must be satisfied that the conditions of the applicant's passport and residency permission are compatible with the licence applied for. Applicants are also advised that it is the Council's Policy to consult with Border & Immigration if it deems necessary, to ensure that the applicant's rights of residency are compatible with the licence applied for.

**At the moment,** applicants who reside in the UK on the strength of a Student Visa cannot work on a self- employed basis. They must provide written confirmation that they intend to be **employed** and plan to work no more than 20 hours per week. They will also be required to provide details in writing from the Operator intending to act as their employer, who will be required to complete the appropriate form. A copy of both of these forms will be forwarded to HM Revenue & Customs or any other organisations that the Council deems relevant.

**It is the applicants responsibility to demonstrate that they have the correct status and the right to work**

**Holders of EU nationality will be required to prove they are registered with the EU Settlement Scheme and a relevant Share Code will be needed as part of you application.**

**RIGHT TO WORK INFORMATION**

Prove your right to work to an employer - GOV.UK (www.gov.uk) Licensing authority guide to right to work checks - GOV.UK (www.gov.uk)

Taxi and Private Hire Licences and the Immigration Act - Renfrewshire Website

## 15. HMRC TAX CHECK

From 4 April 2022**,** applicants have responsibility to **provide a HMRC tax check code in certain circumstances** e.g. you have held a licence with another Licensing Authority or have held the same type of licence that ceased to be valid less than a year ago. You will need to confirm that you have been made aware of your responsibilities in providing such a code, if necessary, before any licence can be issued.

https://www.gov.uk/guidance/complete-a-tax-check-for-a-taxi-private-hire-or-scrap-metal- licence

## HACKNEY CARRIAGES

On 7th September 2011 the Councils Licensing Committee agreed that no further hackney carriage vehicle licences would be issued unless there are extenuating circumstances. A review of this Limitation Policy will be undertaken on average, every 3 years. The Council will commission an unmet demand survey to determine whether there is any demand for additional hackney carriage vehicles within the Borough of Crawley. This Unmet Demand Survey is funded by the Hackney Carriage Trade and it has been determined by the Licensing Committee that there is no unmet demand, and as such, no further hackney carriage vehicle licences will be issued, other than the 123 already in place.

## GENERAL GUIDANCE

Upon receipt of an application for either a hackney carriage or private hire driver's licence, the Taxi Licensing Service will check through the application to ensure that it has been completed correctly and in full. If the applicant does not complete the application fully, it will not be processed and the application will be returned. **The application fee is not refundable.**

When issued, the Enhanced DBS Disclosure Certificate will detail all known offences to the Council as Licensing Authority. Any disclosed information may be used by the Council to determine whether an applicant is a 'fit and proper' person to be issued a licence to drive a licensed vehicle and operate as a licensed driver. (See above for "Fit and Proper" overview as well as the Councils Hackney Carriage and Private Hire Policy **Private Hire and Hackney Carriage Licensing Policy From 01042022**

The Council will give due consideration to the merits of each individual case and if further investigation is required, the 'disclosure certificate' and other relevant information may be retained on the applicants file until the outcome of the case, or for a specified time period. All files are kept in a secure environment and are only available to the appropriate staff. If no offences are disclosed the 'certificate' is destroyed.

Once all the relevant documentation has been completed and has been checked by the Taxi Licensing Service, the DBS, Taxi Code, DVLA and Home Office checks will be sent off for processing by the relevant agencies.

**Please note that on occasion, these checks can take a number of weeks and this is outside of the control of the Council as Taxi Licensing Authority.**

On return of the DBS disclosure, the DVLA driving licence check and any feedback from Border & Immigration, a Licensing Officer will review each response. If the Officer considers the records revealed to be acceptable and the applicant has passed all other aspects of the licensing process, the applicant will be notified regarding the details of the Knowledge Test.

If the DBS or DVLA checks reveal relevant cautions, convictions, warnings, fixed penalties, driving endorsements or if the Border & Immigration Service have concerns, or for " any other cause," the Licensing Officer may contact the applicant to arrange for an interview and the matter referred to the Health, Safety and Licensing Manager.

The interview will allow the Council as Licensing Authority to discuss the full circumstances concerning the matters arising. The applicant will then be offered the opportunity to put all explanations of such cautions, convictions, penalties, endorsements or incidents in writing, to support the application. After the interview has been completed, a report will be submitted

for the consideration at an Enforcement Meeting for a decision by the Head of Community Services.

The applicant will generally be invited to attend this meeting if they wish to do so. The applicant will be notified in writing of Council's decision as soon as possible afterward. Each application will be considered on its merits, but regard will also be had to:

- Whether the applicant is fit and proper to be granted or to continue to hold a licence
- The Councils Hackney Carriage and Private Hire Licensing Policy 2022 – 2026 Crawley Hackney Carriage and Private Hire Licensing Policy from 1st April 2022. Hackney Carriage and Private Hire Policy 2022 onward and any subsequent revisions
- The Department for Transports Best Practice Guidance, November 2023. Taxi and private hire vehicle best practice guidance - GOV.UK (www.gov.uk)
- The Department for Transports Statutory Taxi Standards July 2020 Statutory taxi and private hire vehicle standards - GOV.UK (www.gov.uk) and Best Practice Guidance 2010

Hackney carriage and private hire driver licences are normally granted for a period of three years, except in the following circumstances

A licence will be issued subject to the laws governing the licence and Council's own standard licence conditions/bylaws.

- Where, by exception, an applicant wishes to have a licence of shorter duration, A case will need to be considered by the Licensing Manager, Crawley Borough Council
- Where the applicant is due to retire or cease being a licensed driver
- Where an applicant's right to work visa is due to expire
- Where an applicant has failed to obtain an Enhanced DBS Certificate and/or has failed to register with the DBS Update Service as this is now mandatory.
- Where matters come to light during the currency of an application that impact upon whether or not a person is "fit and proper" to hold a licence.
- Where matters arise that the Manager, Health, Safety and Licensing considers it appropriate, in the circumstances, to issue a licence for less than three years.
- If there are restrictions on the length of time an applicant may work in the UK, the licence will not be issued for any longer than this period. In such circumstances an immigration check will be repeated each time the driver applies to renew the licence. If, during this period, the driver is disqualified from holding a licence because they have not complied with the UK's immigration laws, the licence will lapse .

A copy of these conditions/bylaws is included in the application pack and will be supplied on the grant of any licence issued

The Councils Hackney Carriage and Private Hire Licensing Policy may be changed or amended at a later date. The Council can deviate from this Policy in exceptional circumstances

**PLEASE NOTE**

Following the submission of the application to the Council, the Applicant has a maximum of **12 months** to complete the application and be issued with a licence. If for any reason this has not happened, generally the application will be deemed incomplete and invalid. If there are exceptional circumstances that have prevented completion in 12 months, the applicant will be required to demonstrate this and if agreed by the Team Leader, Health, Safety and Licensing, they complete the following further checks again if necessary, at their own expense, including:

- Enhanced DBS Disclosure (Criminal Records Check) and Registration with the DBS Update Service
- Group II Medical Assessment and subsequent enquiries with Medical Experts as part of the application and assessment process (after passing the Councils Knowledge Test,)
- DVLA Mandate and any other consents required.

Applicants are also required to advise the Council's Taxi Licensing Section of **any** change(s) to their circumstances i.e. including medical condition, medication, criminal incidents, driving licence changes including endorsements, arrest for any offence bail conditions, address immigration status from the time the application is submitted, to the time of issue. Failure to do so may result in an application being refused.

**If an applicant has any questions relating to this process, or if an applicant wishes to submit an application, please telephone the Council's Licensing Section on 01293 438944 to arrange an appointment or email taxis@crawley.gov.uk**

**Applicants are advised to visit the Councils Hackney Carriage and Private Hire Licensing Policy to familiarise themselves with:**

- **Vehicle specifications**
- **Driver and Vehicle Licence conditions**
- **Bylaws**

**FIT AND PROPER MATTERS**

In most cases where there are reasons to believe that enforcement action against a licence holder may be required the procedure to be followed is that set out in the Council's General Enforcement Policy (available on the Council's website at www.crawley.gov.uk, in particular the procedure relating to enforcement meeting. The following should therefore be read in conjunction with, and is in addition to, the Council's General Enforcement Policy.

The Councils Hackney Carriage and Private Hire Policy, the latest version of which was adopted in April 2022, deals extensively with the issue of whether a person is fit and proper, relevant matters for consideration and enforcement, Applicants must read this Policy and make the necessary disclosures as part of the application process and during the currency of a licence. **Private Hire and Hackney Carriage Licensing Policy From 01042022**

**However, if an applicant is seeking legal advice on a particular matter, they must seek and pay for such own legal advice. This Guidance is not exhaustive and it is for an applicant to ensure that they meet all of the requirements specified.**

**PLEASE NOTE THAT THESE GUIDANCE NOTES CAN BE UPDATED AT ANY TIME, ALONG WITH ANY INFORMATION PROVIDED IN THESE NOTES. IT IS THE APPLICANTS RESPONSIBILITY TO ENSURE THAT THEY READ ALL OF THE SUPPORTING INFORMATION, POLICIES AND PROCEDURES. FAILURE TO DO SO WILL RESULT IN DELAYS**

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