

Tonbridge & Malling Borough Council

Briefing notes for taxi licensing



On behalf of Tonbridge & Malling Borough Council we welcome you to taxi licensing. In this document we have detailed the steps you will need to go through in considering which licence will be best for you.

We are here to help you through the application process, and are very happy to advise you on the best course of action. Please do not hesitate to contact us if you require any further information, have any questions or require any general advice.

When applying for a Hackney Carriage Drivers Badge, Private Hire Drivers Badge or Dual Badge you need to pass the knowledge test before you submit your application

Licensing Services

Email: licensing.services@tmbc.gov.uk

Web: www.tmbc.gov.uk/landing/licensing

This booklet is a guide and does not constitute legal advice

Options for you to consider – hackney carriage or private hire?

Hackney carriage

- can ply for hire while driving around the area
- can ply for hire while on a rank
- has to take a passenger to any address within the licensing authority's area
- will have a roof light box which is lit when available for hire

Hackney carriage licences

- Hackney Carriage Drivers Licence
- Hackney Carriage Proprietors (Vehicle) Licence

Notes:

1. You can apply for just a hackney carriage drivers licence and work for a Proprietor who holds a hackney carriage vehicle licence

Private Hire

- **cannot** ply for hire
- **cannot** stand on a rank
- You must **pre-book** a private hire vehicle

Private Hire licences

- Private Hire Operators Licence
- Private Hire Vehicle Licence
- Private Hire Drivers Licence

Notes:

1. You can apply for just a private hire drivers licence and work for a private hire operator who has private hire vehicles
2. You can apply for a private hire drivers licence and a private hire vehicle licence and work for a private hire operator
3. You can apply for a private hire drivers licence, a private hire vehicle licence and a private hire operator's licence.
4. All three licences - private hire drivers, vehicle and operator's licence must be held by the same Licensing Authority.
5. **It is an offence to operate a private hire vehicle and private hire drivers licence without a private hire operator licence**

Do I want to work for myself or a company?

	Company operating the Hackney carriage vehicle	Company operating the Private Hire vehicle
Driver		
Vehicle belongs to		
Operator I will be working for		

For a Hackney Carriage Drivers licence you need to state which company or, and the licence Hackney Carriage Vehicle you will be driving.

For a Private Hire Drivers licence you will need to state which licenced Private Hire Vehicle you be driving and which Private Hire Operator you will be working for.

Step 1 Knowledge Test

When applying for a Hackney Carriage Drivers Badge, Private Hire Drivers Badge or Dual Badge you need to **pass the knowledge test before you submit your application.**

In order to be allocated a place on the Knowledge Test, you need to complete the booking form and pay the fee of £40.00* (*fees subject to change). The booking form is available on the TMBC Website.

Complete the form and specify which licence you are apply for as the tests vary. Once you have submitted the form and payment, you will be emailed the following –

- Date and time of test
- Revision Material

Around 2 weeks before the test you will be sent a formal invite letter by email with the details you will need on the day.

Once the test has been passed you can then proceed with your application as set out in Step 2.

Step 2 Decide which badge you want to apply for

This Council issues Hackney Carriage, Private Hire and Dual Drivers Licences.

A three year drivers badge requires:

	To support your application you will need to submit	Knowledge test	Medical
Hackney carriage driver or Private hire driver	<ol style="list-style-type: none"> 1. Pass the Knowledge Test 2. Application form 3. Application fee 4. Disclosure & Barring Service (DBS) form 5. Driving Vehicle Agency (DVLA) application 6. Details of residency form 7. Convictions questionnaire 8. Taxi Driving Assessment Pass Certificate 9. Pass a medical 	<p>You will need to have passed the knowledge test before you submit your application for a hackney carriage or private hire driving licence.</p> <p>A set of routes will need to be learnt</p>	See step 10

Step 3 Understand the process and cost before applying

	Step	Comments	Costs	How much is this costing?
	Knowledge Test	Held at the Council offices	£60	
Submit the following documents with your application	Application form	3 year Hackney or Private Hire Badge or Dual badge	£195 (renewal after 3 years £195) £220	
	DBS form	See step 4	£44	
	DVLA application	See step 5	None	
	Details of residency	See step 6	None	
	Convictions Questionnaire	See step 7	None	
	Taxi driving test	See step 9	From £82.00	
Medical	See step 10 Tonbridge & Malling appointed provider PH Medical Centre or Your own doctor	£55 plus VAT ?		
Vehicles				
	Vehicle Licences	1 year Hackney Carriage licence 1 year Private Hire licence	£240 (renewal after 1 years £220) £230 (renewal after 1 years £220)	
	Private Hire Operators Licence	5 year Operators licence	£80 per vehicle	
	Total	Pricing subject to change – please check with the Licensing Team		

Step 4 Disclosure and Barring Service (DBS)

All applicants who apply for a taxi Drivers Licence have to have a Criminal Record Check carried out. The checking is done via the Disclosure and Barring Service (DBS) Liverpool. The system of checking is called Disclosure.

The DBS no longer automatically issue a copy of the applicant's DBS Certificate to the Registered Body (Tonbridge and Malling Borough Council) who will countersign your DBS application form.

I am a member of the DBS Update Service and pay £13 a year to DBS

Step 1	With your permission we will carry out a free, instant online check Bring your current issued certificate along with your new/renewal application form.
Step 2	A TMBC Licensing Officer will enter the following information on-line: <ol style="list-style-type: none">1. Name of organisation2. Authorised signatories Forename3. Authorised signatories Surname4. Details from the DBS certificate (Number; current surname and date of birth)
Step 3	The on-line check will show any new information that has come to light since the certificate has been issued.

I am not a member of the Update Service

Step 1	DBS applications are available at the Council Offices when you make your application
Step 2	Complete in Black ink Bring the following documents which will need to complete the DBS form: <ol style="list-style-type: none">1. Driving licence2. Passport3. Document showing your National Insurance Number4. Proof of Address i.e. household bill5. Payment of £44 will be paid in addition to your application fee. The Council will complete the back page and send it off to DBS.
Step 3	The DBS Certificate is sent to your home address – Bring this into the Council to enable your new/renewal badge to be issued.

The DBS will use a new relevancy test when considering the release of non-conviction information about an individual. It will now be based on the type of workforce and no longer the actual job role.

TMBC, as a Registered Body, when completing the field “**position applied for**” will write “**Other Workforce**” on line one, “**Taxi Driver**” on line two.

Before completing the application form please make yourself aware of the DBS Code of Practice and also the DBS Privacy Policy which can be found using the links below.

DBS Code of Practice

<https://www.gov.uk/government/publications/dbs-code-of-practice>

DBS Privacy Policy

<https://www.gov.uk/government/publications/dbs-privacy-policies>

Step 5 Complete the DVLA application form –

Applicants will need to go on-line to generate a Driver and Vehicle Licensing Agency (DVLA) Check code to complete the (DVLA) driving application. This code will then enable the licensing team to carry out an on-line check of your driving licence.

What will you need?

Visit www.gov.uk/view-driving-licence

To generate the code you will need the following –

- Your Driving Licence number (printed on your photo card or old style paper licence)
- Your National Insurance Number
- The Postcode shown on your Driving Licence

What information will Tonbridge & Malling Borough Council receive?

Once supplied with the code we will perform the online check. The information we will see will be –

- Your driving record, for example vehicles you can drive
- Any penalty points or disqualifications you may have

Remember!

Once the code has been generated, it is only valid for 21 days so please do not keep hold of forms. Be sure not to share this code with anyone else as it's only valid for one use.

Step 6 Complete the details of residency outside the United Kingdom

Right to work Authorisation

Full Name	Surname	(Forename)
Name...		

Have you ever been a resident of another country?	Yes – If so please provide details of when you first became a resident of that country.	No – If so please sign below indicating you were born in the United Kingdom.
Date of Birth...		

Name of Country	From	To

Are you a British Citizen?	Yes	No
If No – What nationality are you?		

The Immigration Act 2016 (the 2016 Act) amended existing licensing regimes in the UK to seek to prevent illegal working in the private hire vehicle (PHV) and taxi sector1. With effect from 1 December 2016, the provisions in the 2016 Act prohibit all licensing authorities2 across the UK from issuing to persons of the immigration status who are not permitted to work in the regulated licensing sectors. The 2016 Act also amends other immigration provisions into the licensing regimes across the UK.

The provisions in the 2016 Act amend existing licensing regimes to ensure those who hold immigration status and the right to work from holding an operator's or a PHV or taxi driver licence. This has been achieved by adding the following existing licensing legislation across the UK: London: Public Carriage Act 1933; the London Cab Order 1934; Private Hire Vehicles (London) Act 1958; Metropolitan Public Carriage Act 1969; Local Government (Miscellaneous Provisions) Act 1976; Plymouth City Council Act 1975; Road Traffic Offenders (Northern Ireland) Order 1986 and the Taxi Act (Northern Ireland) 2008. The Civil Government (Scotland) Act 1982 (licensing of Booking Offices Order 2006 will also be amended in due course in respect of booking offices in Scotland).

If you are not a British national you **MUST** provide documentation to show that you are permitted to work in the United Kingdom.

If you have moved to the United Kingdom during your lifetime and were born in a different country then please complete this section.

Under section 57(3) of the Local Government (Miscellaneous Provisions) Act 1976, if any person knowingly or recklessly makes a false statement or omits any material particular in giving information under this section he shall be guilty of an offence.

Complete in Black ink

Please Note: - As a result of The Immigration Act 2016 all applicants will need to be checked with the Home Office.

The Immigration Act 2016 (the 2016 Act) amended existing licensing regimes in the UK to seek to prevent illegal working in the private hire vehicle (PHV) and taxi sector1. With effect from 1 December 2016, the provisions in the 2016 Act prohibit all licensing authorities2 across the UK from issuing to

anyone who is disqualified by reason of their immigration status and they discharge this duty by conducting immigration checks. The 2016 Act also embeds other immigration safeguards into the existing licensing regimes across the UK.

You will be asked to sign the following declaration:

Your right to work in the UK will be checked as part of your licence application, this could include the licensing authority checking your immigration status with the Home Office. We may otherwise share information with the Home Office. You must therefore provide a document or document combination that is stipulated as being suitable for this check. The list of documents is set out at

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/574059/Guidance-for-licensing-authorities-to-prevent-illegal-working-in-the-taxi-and-private-hire-sector-in-England-and-Wales.pdf

You must provide the original document(s), such as your passport or biometric residence permit, as indicated in the published guidance, so that the check can take place. The document(s) will be copied and the copy retained by the licensing authority. The original document will be returned to you. Your application will not be considered valid until all the necessary information and original document(s) have been produced and the relevant paid has been paid.

If there are restrictions on the length of time you may work in the UK, your licence will not be issued for any longer than this period. In such circumstances the check will be repeated each time you apply to renew or extend your licence, If, during this 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.'

Step 7 Complete the Questionnaire

Questionnaire to be completed by all applicants for hackney carriage and private hire drivers' licences.

All applicants for hackney carriage and private hire drivers' licences are required to complete this questionnaire in full. **It is a criminal offence to give incorrect or misleading information.** You should tick (✓) the appropriate box and give full details: if necessary, you should continue on a separate sheet of paper.

Note that the Rehabilitation of Offenders Act does **not** apply to licence applications and you should give details of all convictions, including spent convictions.

Complete in Black ink

Tonbridge and Malling Borough Council	
Questionnaire for completion by all applicants for hackney carriage and private hire drivers' licences.	
<small>All applicants for hackney carriage and private hire drivers' licences are required to complete this questionnaire in full. It is a criminal offence to give incorrect or misleading information. You should tick (✓) the appropriate box and give full details: if necessary, you should continue on a separate sheet of paper.</small>	
<small>Note that the Rehabilitation of Offenders Act does not apply to licence applications and you should give details of all convictions, including spent convictions.</small>	
What is your full name? <small>If you have at any time used any other name, please give full details:</small>	
What is your date of birth? Where were you born?	
Have you at any time been arrested or prosecuted or received a Formal Caution for any of the following offences?	No <input type="checkbox"/> Yes <input type="checkbox"/> <small>If yes, give full details:</small>
<ul style="list-style-type: none">• indecent behaviour• indecent exposure• indecent assault• indecent photography of child• indecency with a mental defective• indecency with an animal• gross indecency• unlawful sexual intercourse• rape• buggery or sodomy• solicitation• any other sexual offence• any other offence involving children• any similar or related offence	

Application Pack 7

May 2012

Step 8 Submit your application

Please bring the following information along with you when you submit your application:

1. Application form
2. DBS form (This be issued at the Council Offices)
3. DVLA application form including the "Code"
4. Questionnaire
5. Residency form
6. ID original documents to accompany DBS – passport, old passport national insurance number, proof of address i.e. Utility bill – **IF YOU DO NOT HAVE A PASSPORT / OLD PASSPORT YOU WILL NEED TO PRODUCE YOUR ORIGINAL BIRTH CERTIFICATE**
7. Driving Licence
8. Fee (paid by cheque/card/cash)

Step 9 Book the Taxi Driving Assessment Test

To book your Taxi Driving Assessment please use the below link or visit

www.greenpenny.co.uk

<http://www.greenpenny.co.uk/taxi-assessment-booking-form>

Step 10 Taking a medical

Medicals

The Department for Transport (DfT) recognises that it is clearly good practice for medical checks to be made on each driver as a condition for the initial grant of a licence and subsequent renewal. The Council has adopted the relevant DVLA medical standard i.e. Group 2. This is the standard applied to the licensing of lorry and bus drivers and is considered to be best practice.

A medical examination by a General Practitioner, to assess an applicant's fitness to drive a licensed vehicle, is required before a licence may be granted. A DVLA Group 2 Standard of medical fitness for professional drivers will be required.

A request form for a medical examination, which may be presented to the applicant's GP, will be sent to you from the Council. The applicant will be responsible for paying the fee for the examination to the relevant surgery.

On completion of the examination, existing licence holders, having presented a medical certificate upon first being granted a licence, will be required to be re-examined before the renewal of the drivers licence, every three years.

Drivers of 65 years and over must be examined annually. More frequent checks will also be necessary if, in the opinion of the medical practitioner, it is necessary.

	Option one	Option two	Procedure
New driver; Existing driver and Driver 65 and over	TMBC Medical Advisor PHC House St. Leonards Road 20/20 Business Park Maidstone Kent ME16 0FJ Tel: 01622 677775	Your own GP	<ol style="list-style-type: none">1. Medical letter sent from Licensing Services together with a blank medical report form to be given to the doctor to be completed during the examination.2. Either book an appointment with PHC or your own doctor.3. Payment must be made to the surgery4. Summary Medical Report will be sent to Licensing Services.

Licensing a vehicle

Hackney Carriage Vehicles

It is necessary that a vehicle is licensed if it is to carry passengers for **hire or reward**. If the vehicle is capable of carrying **8 or less passengers** this is licensed by the Local Authority. Vehicles capable of carrying 9 or more passengers are classed as Public Service Vehicles (PSV's) and are licensed by the Traffic Commissioners.

Vehicles are licensed for a year and are required to pass a MOT and compliance test every 6 months. The plates are issued to the vehicle and should be displayed on the exterior of the vehicle to the rear and one internally so that it is clearly visible from both inside and outside the vehicle.

When a vehicle is licensed as either a Private Hire Vehicle or a Hackney Carriage it can only be driven by a person who is licensed to drive that type of vehicle by the licensing authority. The vehicle is used for carrying passengers for hire and reward and **is not** a private vehicle for general use by the owner, family or friends.

Private Hire Vehicles

These are vehicles that have to be pre-booked with the vehicle operator prior to use. There are no set fares as with Hackney Carriages. Fares have to be agreed with the operator or driver prior to the journey or are decided using a meter displayed in the vehicle. These vehicles **must not** stand or ply for hire or be hailed down in the street.

Hackney carriage vehicle criteria

- Has to be suitable in type, size and design (normally capable of carrying at least 4 passengers).
- The vehicle has to be either **white or silver** in colour (Silver means silver, not grey or metallic hues, irrespective of the colour stated on the registration document V5).
- The vehicle must not have tinted windows (Standard light tinting fitted on manufacturing may be acceptable).
- Must be fitted with a meter and display the current fare tariffs in the vehicle.
- Must not have any third party advertising on the vehicle (Other than the company's name and phone number).
- Must carry complaint forms/cards
- Must display no smoking signs and have a copy of a valid insurance certificate in the vehicle.
- Must display the official TMBC logos on both the drivers and front nearside passenger doors.
- Must have a roof sign displaying the word "Taxi" capable of being illuminated

Private Hire vehicle criteria

- Has to be suitable in type, size and design (normally capable of carrying at least 4 passengers).
- There are no restrictions regarding colour.
- The vehicle must not have tinted windows (Standard light tinting fitted on manufacturing may be acceptable).
- Must not be of such a design or appearance to lead people into thinking it is a Hackney Carriage.
- Must not have any third party advertising on the vehicle (Other than the company's name and phone number)
- Must carry complaint forms/cards
- Must display no smoking signs and have a copy of a valid insurance certificate in the vehicle.

Age of vehicles –

Vehicle	Age Criteria
Licensing a vehicle for the first time	All vehicles must be less than six years old (including wheelchair accessible vehicles but excluding Limousines and Special Event Vehicles) from the date of first registration.
Re-licensing a Saloon, estate, hatchback, or multi-passenger vehicle	Ten years from the date of first registration
Re-licensing a wheelchair accessible vehicle	Fifteen years from the date of first registration
Limousines and Special Event Vehicles	There will be no age restriction on licensing limousines and Special Event Vehicles

Submit your application

The applicant has to attend at the Council Offices (see times below) and complete an application form and pay the appropriate fee.

- The applicant has to produce a valid insurance certificate to cover the vehicle for carrying passengers for hire and reward as either a Private Hire or Hackney Carriage (Whichever is applicable)
- The applicant has to produce the registration document for the vehicle (If this is a new vehicle or just purchased this may be at DVLA, therefore an order form/receipt is acceptable and the registration document must be produced when received from DVLA).
- The applicant will then be issued with a voucher to produce at the Council approved testing station.
- The applicant is responsible for submitting the vehicle for the test at the approved testing station (Fee payable to the garage)
- On successfully passing the test the applicant will be issued with a pink slip. The applicant then produces this slip at the Council Offices where it will be exchanged for the plates. (This can be done at the reception between the hours of 08:30 hours -17:00 hours Monday to Thursday and 08:30 hours -16:45 hours on a Friday).