

Hackney carriage and private hire driver licences

Updated February 2020

What is the difference between a hackney carriage and private hire driver and a private hire driver?

- Hackney carriage and private hire driver

A hackney carriage and private hire driver is licensed to drive both hackney carriage and private hire vehicles.

Hackney carriages can be booked in advance from an office, hailed from the street when the 'For Hire' light is on or hired from a taxi rank within the North Devon district. When the 'For Hire' light is on, drivers can't refuse a fare without a reasonable excuse. The licensed vehicle will have a top light and can be recognised by a white plate on the rear of the vehicle with the council's logo and a four-figure number with an 'HV' prefix.

Private hire vehicles must be booked in advance from an office and can't pick passengers up from taxi ranks or be hailed from the street. They can be recognised by a yellow plate on the rear of the vehicle with the council's logo and a three-figure number with a 'PV' prefix. Private Hire fares are usually charged by a set amount per mile or a negotiated price. North Devon Council has no authority over these charges.

- Private hire driver

A private hire driver can only drive a private hire vehicle.

The council's current policy is to issue one of the licence types above for drivers. Therefore, by default, a hackney carriage driver licence is not issued. Exceptions to this rule may apply and will be considered on a case by case basis.

Do I need to be licensed?

You need a licence if you intend to drive a vehicle in accordance with the definitions above for hackney carriage and private hire. However, certain types of private hire vehicles are exempted under the Local Government (Miscellaneous Provisions) Act 1976 Section 75 (1) (c). These are:

- funeral vehicles
- wedding vehicles
- volunteer drivers
- child minders
- ambulances/vehicles operating as formal patient transport services.

If the driver only drives a vehicle for one of the above, neither the driver nor the vehicle need to be licensed.

Application process

- Grant of a new licence

A completed application form (see forms section below) needs to be submitted to the Licensing team, together with the following documentation and accompanied by the correct fee:

- A completed Disclosure and Barring Service (DBS) enhanced check application form
- A current full DVLA driving licence with counterpart
- A completed group 2 medical certificate
- Driver qualifications
- Authorisation to work in the UK

Licences are granted for a period of three years, unless drivers indicate they want a one year licence, based on personal circumstances.

- DBS enhanced check

Before the licensing authority shall consider an application for the grant of a driver's licence, the applicant must provide an Enhanced DBS disclosure of criminal convictions. The council is an approved DBS body. Therefore, applicants can deal with the DBS through the council. Applicants will be charged the appropriate fee, which includes an administrative fee.

Applicants wishing to renew their driver's licences are required to provide an Enhanced DBS disclosure every three years or on an earlier occasion if requested by the licensing authority.

The council will only accept Enhanced DBS disclosures that are less than three calendar months old at the date of issue by the DBS.

The council is bound by rules of confidentiality and will not divulge information obtained to any third parties. The applicant for a DBS disclosure will be sent their DBS disclosure to their home address.

Care should be taken to complete DBS application forms accurately, as failure to do so will delay the process of obtaining a DBS disclosure.

In line with guidance issued by the DBS, North Devon Council will not accept DBS certificates from another body (for example, Devon County Council), due to the risk factors involved.

- Driving licence

As part of the council's fit and proper test, all applicants must obtain a DVLA Check Code to enable their DVLA driving licence to be checked every year.

To provide this information go to: www.gov.uk/view-driving-licence and follow the on-line instructions to create a licence 'check code'. You will need your driving licence number, National Insurance number and the postcode on your driving licence. Click the get your check code box on the right hand side of the screen then click get code. You can then print this information and forward it to licensing@northdevon.gov.uk or submit it with your grant application. As the check code is only valid for 21 days please ensure this information is returned as soon as the check is made. This then authorises us to make the check on your DVLA driving licence using the code provided.

If on request drivers do not provide this check code during the period of their licence, their licence will be suspended until such time as the validity of their DVLA licence can be confirmed, showing that they are a fit and proper person.

Applications for the grant of a licence will not be approved until all driving licence entitlement and endorsement information is received by the council and it proves satisfactory in accordance with its policy.

A check code is sufficient for the council to issue a licence on renewal. However, any issues subsequently identified, which would prove unsatisfactory with regard to this policy, will then be referred to the Licensing Sub-Committee.

- Medical form

A medical certificate is required before a licence may be granted, irrespective of the age of the applicant. A DVLA Group 2 standard of medical fitness for professional drivers is required. Certificates must be completed by an applicant's registered GP, or a GP from their registered practice, who has access to the applicant's medical records.

North Devon Council holds specified medical examination forms. These are available for applicants to present to their GP. The applicant will be responsible for paying the fee for the examination to the relevant surgery. On completion of the examination, a confidential report will be submitted to the Licensing team. This report will be returned to the applicant.

Existing drivers must produce to the Licensing Officer at North Devon Council a new medical certificate within seven days of the date of the expiry of a previous certificate.

All existing licence holders must be medically examined every five years, whilst existing licence holders of 65 years and over, must be examined annually. Those drivers requiring annual medicals with three year licences will need to produce medical certificates to the council on an annual basis.

Licence holders must advise the council of any deterioration of their health that may affect their driving capabilities and which may negate their ability to pass a Group 2 medical standard examination. Examples include high blood pressure, angina, diabetes, vision disorder, fainting, blackouts, drug taking or alcoholism. Where there is any doubt as to the medical fitness of the applicant, the council may require the applicant to undergo and pay for a further medical examination by a doctor appointed by the council. The doctor's recommendation will be final.

- Qualifications

Whilst there are no age restrictions imposed, the licensing authority shall not grant a licence to drive a vehicle to any person unless they have held a full driving licence for one year and have passed the following qualifications:

- The Driving Standards Agency Hackney Carriage and Private Hire Assessment Test OR the Public Carrying Vehicles Test (or an equivalent or higher qualification as approved by the Authority)
- The BTEC Intermediate Award in Transporting Passengers by Taxi and Private Hire OR the Edexcel Level 2 NVQ in Road Passenger Vehicle Driving (Community, Hackney Carriage/Private Hire Vehicles and Chauffeurs) OR the Edexcel Level 2 NVQ in Passenger Carrying Vehicle Driving (or an equivalent or higher qualification as approved by the Authority)

Although existing drivers are not required to undertake and pass the Driving Standards Agency Hackney Carriage and Private Hire Assessment test or the BTEC Intermediate Award in Transporting Passengers by Taxi and Private Hire, they are encouraged to undertake and pass these tests.

It should be noted that existing drivers who fail to make their renewal application on time

will be treated as a grant application. All drivers are advised to place their licence expiry in their diary and to apply for their driver's renewal in good time.

- Authorisation to work in the UK

All applicants will need to demonstrate that they are authorised to work in the UK before an application for the grant of a driver's licence may be considered. The Licensing team will operate its application requirements in line with the Home Office guide for employers on preventing illegal working in the UK.

NON-UK applicants

All non-UK applicants for Hackney carriage and private hire licensing are required as part of the licensing process to provide to the authority in written English a 'Certificate of Good Conduct' or equivalent document from the appropriate Embassy or High Commission of the country/countries in which they have lived.

Non-UK applicants as part of the licensing process must register their non-UK driving licences with the DVLA in order that a licence can be issued.

Non-UK applicants must provide to the authority as part of the licensing process evidence of the right to work in the UK.

Testing of applicants

The licensing authority shall not grant a licence to drive a hackney carriage unless it is satisfied that the applicant is a fit and proper person. In order to determine such fitness, the applicant shall be required to undertake the following:

A computer based test including 10 questions on each of the following sections:

- **Local geography** - Applicants will be tested on their knowledge of North Devon geography, through a series of questions based on local landmarks, road names and routes including shortest routes between two locations in the district.
- **The highway code** - Applicants will be asked to answer a number of questions as to driving skills, road information and etiquette as set out in the Highway Code.
- **The Hackney Carriage and Private Hire Licensing Policy** - Applicants will be tested on their knowledge and understanding of the Hackney Carriage and Private Hire Licensing Policy document.
- **Numeracy** - Applicants will be tested on their ability to carry out elementary mental arithmetic as encountered in situations such as calculating fares and the change to be given to a customer. Questions also covering timing for example how long before a driver is required to collect a passenger. Although calculators

are not permitted pen/paper will be provided for drivers to complete their workings.

Applicants who fail to achieve a 70% pass rate in any of the tests will be invited to take a different test on another occasion. They will not be considered to be fit and proper to hold a licence unless or until they have achieved the requisite pass rate in all of the tests.

You can complete an online example of the Hackney/Private Hire Driver's test through the council's website. Please note you will need Flash installed on your PC to run the test.

Renewal of an existing licence

Although there is no statutory duty placed on North Devon Council to issue reminders, holders of existing driver licences will be reminded in the month preceding their expiry, when their licences are due to be renewed. Application forms, appropriate fees and supporting documentation must be submitted at least seven days prior to the expiry of the previous licence. Drivers are recommended to place their licence expiry date in their diaries and apply in good time.

Applicants for renewal are required to provide an enhanced DBS disclosure every three years or on an earlier occasion if requested by the licensing authority. Applicants who are aged 65 or over will need to provide evidence of their medical fitness to hold a licence upon renewal each year.

Failure to renew a licence before the expiry date will result in the applicant being required to make an application for the grant of a new licence.

Determination

If satisfied, from the information available that the applicant is a fit and proper person to hold a hackney carriage and private hire driver's licence, the officer has the delegated power to grant the application.

Where the licensing officer is not satisfied, on the information before them, that the applicant should be granted a licence, the matter will be referred to a Sub-Committee of the Licensing Committee. The applicant will be advised of the date, time and venue of the Sub-Committee at which the application will be considered.

Successful applicants will be notified in writing and issued with the appropriate licence. Those who are granted drivers' licences will be issued with a driver lapel badge, which will remain the property of the council and must be surrendered when the driver ceases

employment as a driver.

Exact timescales for the grant of a licence from application receipt vary dependant on the circumstances of each case and other external factors such as the CRB check.

Appeal

Unsuccessful applicants will be informed of their right to appeal against the decision to the magistrates' court within 21 days of receipt of the formal notice of refusal of the application.

Conditions

The licensing authority is not permitted to attach conditions to a hackney carriage driver's licence. However, those drivers who are also licensed to drive private hire vehicles shall be subject to all those conditions relevant to private hire drivers. More information on this can be found on our website.

Register

The public register for private hire driver licences can be found on our website.

Complaints

If you want to make a complaint about a licensed driver, please contact us.

If you feel we have failed to provide you with good service or are concerned about the progress of your application, please telephone the Customer Service Centre. The Licensing team will aim to resolve any concerns you may have.

The council also has a formal complaints procedure.