

APPLICATION FOR RENEWAL OF A LICENCE TO DRIVE A HACKNEY CARRIAGE VEHICLE

(Disclosure Application)



Please read carefully all parts of the application including the guidance.

If you do not fully understand any part or any requirement please come and ask for advice and assistance from the Licensing Department.

LICENCE REFERENCE NO.:

EXPIRY OF LICENCE:

IMPORTANT

Printed below is a list of the procedures that you must complete fully and accurately. Only then can your application be considered by the Council.

WARNING

Failure to complete the procedure is a valid reason for an application to be refused.

SURNAME:	INITIALS:
-----------------	------------------

THIS SHEET MUST REMAIN ATTACHED TO THE APPLICATION FORMS AND BE SUBMITTED AS PART OF THE APPLICATION

CHECKLIST ON APPLICATION PROCEDURE ALL OF THE FOLLOWING MUST BE PRODUCED TO THANET'S GATEWAY PLUS, CECIL STREET, MARGATE	You may tick here	Official Use	
		Accepted	
		Date	Initials
Completed Application Form			
Swansea Driving Licence and Counterpart Driving Licence or Licence issued by a Member Country of the EC			
Birth Certificate / Valid Full Passport			
Completed Disclosure Application Form incl proof of address			
TWO CURRENT PASSPORT APPROVED PHOTOGRAPHS			
Correct Fee			
PROOF OF RIGHT TO WORK IN UK – IF APPLICABLE			

FOR OFFICIAL USE ONLY

Receipt No	
Amount	£
Badge No	
DBS sent	
DBS status	

Thanet District Council
PO Box 9
Cecil Street Margate

If this form has been filled in by someone other than the person applying:

Please tell us why you are filling in this form for the person applying:

.....

.....

.....

.....

.....

.....

.....

AS FAR AS POSSIBLE, I HAVE CONFIRMED WITH THE PERSON APPLYING THAT THE ANSWERS WRITTEN ON THIS FORM ARE CORRECT.

Name of person who filled in the form:

Signature of the person who filled in the form:

Relationship to the person applying:

Date:

NOTES FOR APPLICANTS FOR RENEWAL OF A LICENCE TO DRIVE A HACKNEY CARRIAGE OR PRIVATE HIRE VEHICLE

(Criminal Record Check required)

Please come personally to the office and bring with you:-

1. Your Full Driving Licence, or your new style Driving Licence with printed licence summary from DVLA website.
2. Two recent passport-sized photographs of yourself.
3. A fully completed and signed renewal application form:-

(i) Medical Examination

If requested in your reminder letter, the appendix on the reverse of the renewal application form is to be completed by any General Practitioner

(ii) General

The front of the form must be fully completed and signed by you.

You must answer all of the questions fully, eg, it is essential for you to include all **convictions** and **Police cautions**, not just motoring convictions, since the grant of your last licence.

Failure to do so renders you liable to prosecution and refusal or revocation of your licence.

4. Your Birth Certificate or full valid passport.
5. Two proofs of identity which must consist of either a birth certificate, full passport, marriage certificate.
6. Two proofs of current address must be provided which must consist of either a recent bank statement, recent mortgage or insurance statement, recent credit card statement, recent utility bill or current Council Tax bill. (see enclosed CRB Applicants Guide).
7. A fully completed and signed Disclosure Application Form. (Help in filling in this form may be obtained at Thanet's Gateway Plus, Cecil Street, Margate).
8. The correct Licence fee of £ (inclusive of fee for check of criminal records).

Cheques to be presented with a current cheque guarantee card as verification of person signing, as well as guarantee of payment.

IMPORTANT NOTICE

- * Failure to comply correctly or fully with any part of the Council's application procedure, before expiry of the licence, is a reason for refusal of a licence.
- * Identification badges now expire at the same time as your licence to drive hackney Carriage/ private hire vehicles. You must supply two passport-sized photographs at the time of application and return your current badge (please note - the new badge also shows the operator/ proprietor's name, if you change to a new operator/proprietor you must obtain a new badge).
- * All applicants are subject to a Criminal Record Check every 3 years (unless otherwise requested).

- * Guidance Notes for disclosure applicants attached.
- * A copy of the Council's Policy Statement and Guidelines on how applications are considered is attached.

- * See over for Guidance Notes on the Rehabilitation of Offenders Act 1974.

- * Applicants for renewal can continue to drive pending the outcome of their application **ONLY** if they have **FULLY** completed the application procedure **BEFORE** the expiry of their existing licence.

- * If you do not apply for renewal until after the expiry date of your current licence, that application will be considered as a new application and will result in you submitting a higher fee, a medical certificate, references and having a Criminal Record Check (all depending on circumstances).

NOTES FOR GUIDANCE NOTES ON THE REHABILITATION OF OFFENDERS ACT 1974

This Act provides that after a certain lapse of time convictions for criminal offences are to be regarded as "spent". **Sentences of imprisonment exceeding 30 months duration can never be treated as "spent"** and must be disclosed however long ago they were imposed. Examples of certain periods of time which must elapse in other cases before the conviction becomes spent as set out below.

SENTENCE	BECOMES SPENT AFTER
Imprisonment or detention in a young offenders institution of between 6 months and 2½years	10 years
Imprisonment or detention in a young offenders institution of up to 6 months	7 years
Borstal training	7 years
A fine or other sentence not otherwise covered in this table	5 years
Absolute discharge	6 months
Probation order, conditional discharge or bind over	1 year (or until order expires. whichever is the longer)
Detention Centre order	3 years
Remand home, attendance centre or approved school order	The period of the order and a further year after it expires
Hospital order under the Mental Health Act	The period of the order and a further 2 years after it expires
Cashiering, discharge with ignominy or dismissal with disgrace from the Armed Forces	10 years
Dismissal from the Armed Forces	7 years
Detention in respect of a service conviction	5 years
NOTE: (i)	A sentence of more than 2½years imprisonment can never become spent.

(ii) If you were under 17 years of age on the date of the conviction, please halve the period shown in the right-hand column.

(iii) **Suspended sentences are treated as if they were put into effect.**

(iv) A sentence of community service is spent when the number of hours in the sentence have been worked.

The periods of time which must elapse in other cases before the conviction becomes spent vary considerably according to the nature of the offence and other circumstances. The rehabilitation period may, for example, be extended by conviction for a further offence during the rehabilitation period.

The above details are not intended to be fully comprehensive. Further guidance on this may be obtained from a Solicitor or the Home Office publication "A Guide to the Rehabilitation of Offenders Act 1974" purchasable from HMSO, P.O. Box 276, London SW8 SOT.

If you have any queries please contact the Licensing Department, telephone 01843 577413/577753 (personal callers to Thanet's Gateway Plus, Cecil Street, Margate). Written enquiries should be addressed to the Licensing Department, Thanet District Council, P.O. Box 9, Margate, Kent CT9 1XZ.

**IMPORTANT INFORMATION FOR APPLICANTS
STATEMENT OF POLICY ABOUT RELEVANT CONVICTIONS
AND POLICE CAUTIONS**

A.

When submitting an application for a Licence to drive a Hackney Carriage or Private Hire Vehicle, you are required to declare any convictions or Police cautions that you may have, unless they are regarded "Spent" under the Rehabilitation of Offenders Act 1974. The information you give will be treated in confidence and will only be taken into account in relation to your application.

You should be aware that the Council is empowered in law to check with the police for the existence and content of any criminal record held in the name of an applicant. Information received from the police will be kept in strict confidence whilst the licensing process takes its course and will be retained for no longer than is necessary.

The disclosure of a criminal record or other information will not debar you from gaining a licence unless the Council considers that the conviction or Police caution renders you unsuitable. In making this decision, the Council will consider the nature of the offence, how long ago and what age you were when it was committed and any other factors which may be relevant. I would refer you to the Council's guidelines on the assessment of fitness of persons to be licensed below.

Before any application is refused, you would have the right to appear before and be heard by the Council's Licensing Board. Also, any applicant refused a driver's licence on the grounds that he/she is not a fit and proper person to hold such a licence, has a right of appeal to a Magistrates Court.

B.

SCHEDULE OF GUIDELINES

1. In considering applications, in the absence of a legal definition of a fit or proper person, the Council's paramount consideration shall be the safety and welfare of the public.
2. Subject to each individual application being treated on its merits, the Council will normally refuse to grant a licence to drive a hackney carriage or private hire vehicle, or will normally suspend or revoke such a licence if the person concerned falls into one or more of the following categories:-

(a) Age Limit

Has not reached the age of twenty-one years.

(b) Licensing Procedure and Requirements

- (i) Refuses to fully complete the Council's licensing procedure; or
- (ii) Knowingly or recklessly makes a false statement or omits a material particular when making an application which, if known, would have been likely to have led to the application being refused; or
- (iii) Has within the five years prior to the application been convicted of any one serious or several less serious offences involving hackney carriage or private hire vehicles licensing legislation; or
- (iv) Has within the five years prior to the application seriously contravened the conditions attached to private hire vehicle driver's licences.
- (v) Fails the Council's written topographical Knowledge Test.

(c) **Medical Fitness**

In the opinion of the Council's Medical Adviser (or a specialist consultant nominated by him) is not medically fit to drive hackney carriages/private hire vehicles.

(d) **Motoring Convictions**

- (i) Has been **disqualified** for any reason by a court from driving **in the five years prior to the application**; or
- (ii) **Has accumulated a total of 10** or more penalty points for endorsable motoring convictions in the five years prior to the application; or
- (iii) Whilst not falling into either of the above two categories, has had motoring Convictions which, by virtue of their seriousness and /or repetitive nature, indicate that the applicant is not a fit and proper person to be licensed.

(e) **Criminal Convictions/Police Cautions**

(i) **Drunkenness**

An isolated conviction for drunkenness need not debar an applicant from gaining a licence. However, a number of convictions for drunkenness could indicate a medical problem necessitating critical examination.

(ii) **Drugs**

An applicant with a conviction for a drug related offence should be required to show a period of at least **3 years free of convictions** before an application is entertained, or 5 years after detoxification treatment if he/she was an addict.

(iii) **Indecency Offences**

As hackney carriage and private hire vehicle drivers often carry unaccompanied passengers, applicants with convictions for indecent exposure, indecent assault, importuning, or any of the more serious sexual offences, should be refused until they can show a substantial period (at least 3 to 5 years) free of such offences. **More than one conviction of this kind should preclude consideration for at least 5 years.**

(iv) **Violence and Criminal Damage**

As hackney carriage and private hire vehicle drivers maintain close contact with the public, a firm line should be taken with applicants who have convictions **for grievous bodily harm, wounding, assault or criminal damage.** At least **3 years free of such convictions** should be shown before an application is entertained.

(v) **Dishonesty**

Hackney carriage and private hire vehicle drivers are expected to be persons of trust. The widespread practice of delivering unaccompanied property is indicative of the trust that business people place in drivers. Moreover, it is comparatively easy for dishonest driver to defraud the public by demanding more than the legal fare, etc. Overseas visitors can be confused by the change in currency and become "fair game" for an unscrupulous driver. For these reasons a serious view should be taken of any conviction involving dishonesty. In general, a period of **3 to 5 years free of conviction** should be required before entertaining an application.

APPLICATION FOR RENEWAL OF LICENCE



TO DRIVE A HACKNEY CARRIAGE

I hereby apply for a licence to act as a driver of a hackney carriage vehicle licensed by the Thanet District Council and declare that to the best of my knowledge and belief the particulars below are true. I also certify that I have been examined by the doctor whose signature appears on Certificate overleaf and have made full disclosures to the doctor of my medical history. I have read and understood the note below.

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

I hereby give my permission for a Criminal Record Check to be carried out and that any information that might come to light from this check or in the future which could affect my licence, or application for one, can be supplied to the "Authorised Officer" of the District Council.

DATE: **SIGNATURE:**

NOTE: By 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 and shall be liable on summary conviction to a heavy fine, in addition, the application is likely to be refused or any licence issued revoked.

Office Use Only

Please Complete Here (Black ink only)

Family Name:		
Forenames:		
Date of Birth: Age:	National Insurance No	
Home Address including Post Code		
Home Telephone Number & Mobile Number		
Details of current driving licence Number		
Date of issue and expiry		
By whom issued (nationality)		
Have you since your LAST APPLICATION received a Police caution or been convicted of any offence involving:- 1. Dishonesty or indecency or violence 2. Any motoring offence 3. Any other offence (IF "YES" TO ANY QUESTION, please supply full details, including date of any offence, date of conviction, type of offence, location of court, penalty imposed and, if appropriate, offence code). If insufficient space, supply details on an attached piece of paper.	YES / NO YES / NO YES / NO	
Badge number		
Name and Address of Hackney carriage plate owner for whom you work.		

APPENDIX

This medical certificate must be completed by any general practitioner every three years.

If the applicant is 70 years of age or over then it must be completed annually.

I hereby certify that having regard to advice on assessing the medical fitness of professional drivers in the publication "For Medical Practitioners: At a Glance Guide to the Current Medical Standards of Fitness to Drive",

I have this day examined the applicant, Mr / Mrs / Miss / Ms
and certify that he/she meets with the requirements of Group 2 entitlement of the Current Medical Standards for Fitness to Drive issued by the DVLA, Swansea.

Surgery Stamp

Date:Signature:

Qualifications:

Address:

For Office Use Only:

<i>Expiry date of Medical :</i>

NOTES FOR MEDICAL PRACTITIONER

- 1. This certificate can be signed by any General Practitioner.**
2. Advice on assessing the medical fitness of professional drivers can also be obtained from the Driver's Medical Unit, DVLA, Longview Road, Morryston, Swansea SA99 ITV. Telephone (01792) 783686.