

Driver Application & Process

Scarborough Borough Council will only issue licences to those applicants that it considers to be 'fit and proper' to hold a licence.

All drivers must satisfy the Council that they are fit and proper people to be granted a drivers' licence, and must then remain a fit and proper person for the duration of that licence. The fitness and propriety of a driver will be monitored / assessed throughout the period that the licence is held.

Applicants are expected to act with honesty and integrity throughout the application process, and must therefore fully and accurately disclose any information that is requested. This includes information regarding previous convictions, warnings and reprimands, current investigations and pending criminal proceedings.

The Council aims to ensure that Private Hire and Hackney Carriage services delivered within the Borough are of a good standard. The application and compliance procedures are designed to ensure these standards are maintained, monitored for compliance and appropriately enforced.

Applications will only be accepted from applicants that have held a full UK driving licence for at least two years (please note that the requirement is to have held the full licence for at least two years, not two years since the date that you passed your driving test). Applicants that hold full EU licences will have the length of time that they have held such licences taken into consideration, however holders of EU licences will only be issued with a licence for 12 months – the licence will not be renewed unless the EU licence is exchanged for a full UK licence (as required by national legislation).

Fit & Proper Person Test

The Council considers that licensed drivers are in a position of trust, and therefore the council must ensure that applicants / licence holders are and remain fit and proper to hold a licence. This requirement is contained within Sections 51 and 59 of the Local Government (Miscellaneous Provisions) Act 1976 (Part II).

The term "Fit and Proper Person" for the purposes of taxi and Private Hire licensing is not legally defined. However, in determining whether a person is fit and proper to hold a licence, those tasked with determining licences / applications are effectively asking the following question of themselves:

Without any prejudice, and based on the information before you, would you allow a person for whom you care, regardless of their condition, to travel alone in a vehicle driven by this person at any time of day or night?

All decisions on the suitability of an applicant or licensee should be made on the balance of probability. This means that an applicant or licensee should not be 'given the benefit of doubt'. If the Committee or delegated officer is only 50/50 as to whether the applicant or licensee is 'fit and proper', they should not hold a licence. The threshold used here is lower than for a criminal conviction (that being beyond *reasonable doubt*) and can therefore include information that goes beyond criminal convictions.

In order to assess the suitability of an applicant (and to inform decision makers when answering the question above), the Licensing Authority will undertake whatever checks and apply whatever processes it considers necessary to ensure that licences are not issued to, or used by, unsuitable people. In assessing the

suitability of an applicant or licence holder, the Council will take into consideration the following factors:

- Criminality
- Safeguarding Issues
- Period of holding a driver's licence
- Number of endorsed driving licence penalty points
- Right to work
- Medical fitness
- Standard of driving / driving ability
- General conduct / standards of behaviour (including online behaviour)
- The conduct of the applicant in making the application (e.g. whether they have acted with honesty and integrity during the application process).
- The previous licensing history of existing / former licence holders (including honesty and integrity).
- Theoretical knowledge of issues and matters related to the work of a licensed driver.
- The Public Sector Equality Duty
- *In addition the Council will also consider further information sources such as the Police (including abduction notices); Children and Adult Safeguarding Committees; other licensing authorities; and statutory agencies.*

Applicants must read Scarborough Borough Councils Taxi and Private Hire Policy prior to submitting an application. [link to policy]

Application Procedure

To assist applicants we have broken the application process down into stages as follows:

STAGE 1 – Submit Your Application, Documents and Fees

Application forms must be submitted together with the following information

1. 5 years' address history for the applicant (including in application form)

Licences will not be granted unless the applicant is able to provide at least five years UK address history except in the following cases:

- The applicant is able to provide a document from an EU member state, which is the equivalent of a UK issued Enhanced DBS Certificate.
- If this cannot be provided then an official document provided by the embassy of a non-EU member state will be acceptable, provided that the document can be verified and is comparable to a UK issued Enhanced DBS Certificate.

2. One colour passport standard photograph, which is a good likeness of the applicant.

3. DVLA driving licence & photo-card (or paper licence if the photocard licence is not held by the applicant)

4. Completed Medical Report

The Medical Report template can be downloaded below. Applicants shall provide a completed medical examination form supplied by the Council and completed by their own General Practitioner's (GP) practice on first application. A new medical will then be required every 3 years until the driver reaches the age of 65 when a medical will be required annually. In exceptional

circumstances, and with prior agreement from the Licensing Manager, a medical assessment can be carried out by another registered GP practice as long as the applicant's medical history has been viewed and assessed.

There will be a fee for this examination and this charge is the responsibility of the applicant. The Council may also request a medical at any other time it feels may be necessary to ascertain a persons' fitness to drive a licensed vehicle. There will be a fee for this examination and this charge is also the responsibility of the applicant.

5. Enhanced DBS Disclosure Certificate from the Disclosure and Barring Service This can be done by using the North Yorkshire online DBS service here: <https://www.northyorks.gov.uk/apply-employment-check>

A fee for verification must be made to Scarborough Borough Council Licensing Department for verification of this online DBS application as part of the Licence application process. Fees can be found here <https://www.scarborough.gov.uk/home/business-licensing-and-grants/fees-and-charges>.

The contents of this certificate will be assessed in accordance with the council's policy on convictions in determining the fitness and propriety of the applicant as per Appendix C.

Once it has been issued by the DBS, the Council will consider an Enhanced Disclosure Certificate to be valid for a period of 1 months from the date that it was printed. This is subject to the certificate having been obtained through the Council's licensing service as part of a driver or operator application.

The Council reserves the right to request a new Enhanced DBS check should it consider it appropriate to do so.

Applicants are required to sign up to the online DBS update service <https://www.gov.uk/dbs-update-service> at their expense currently £13 per year. This is so that the council can verify there are no changes to their DBS status at any time it is deemed necessary and in any case approximately every 6 months. These checks are part of our due diligence.

6. Proof that the applicant is legally permitted to work in the UK

The Council will require all applicants to provide documentary evidence to confirm that they may legally work in the UK. Examples of documents that maybe provided include:

- A UK passport confirming that the holder is British Citizen (or citizen of another EEA country – including Switzerland),
- Passport or other travel document endorsed to show that the holder is allowed to stay in the United Kingdom and undertake paid employment,
- Full UK Birth / Adoption Certificate,
- An Immigration Document issued by the Border and Immigration Agency to the holder which indicates that the person named in it can stay in the United Kingdom and undertake paid employment,
- A work permit or other approval to take employment issued by the Home Office or the Border and Immigration Agency when produced in

combination with either a passport or another travel document endorsed to show the holder is allowed to stay in the United Kingdom and is allowed to undertake paid employment.

This list is not exhaustive, and other documents may be accepted – further information will be provided by the Licensing Office on request.

Where an applicant is subject to immigration controls, a licence will not be issued for longer than the period that the applicant has permission to undertake paid employment in the United Kingdom.

7. DVLA Check Code

All applicants must agree to the council verifying their DVLA driving licence, this may be done via a third party organisation and will require the applicant to give their consent to such a check being carried out. We must check the details of your driving licence including any points or disqualifications you may have. To obtain a code please visit www.gov.uk/view-driving-licence. **Your code must be no more than 14 days old when you submit your application.**

8. HMRC Tax Check

If you already hold a Taxi/Private Hire licence with another Authority or you are applying for a new Taxi/Private Hire Licence that expired less than a year ago, we must confirm you are aware of your tax responsibilities. You must complete an online tax check with HMRC and provide a code to the Licensing Authority. HMRC has powers to obtain information from Licensing Authorities. Schedule 23 to Finance Act 2011 (Data Gathering Powers) and Schedule 36 to Finance Act 2008 (Information and Inspection Powers), grant HMRC powers to obtain relevant information from third parties. This includes licensing bodies being required to provide information about licence applicants. Please use this link to obtain a 9 digit code and provide this on your application (if applicable). [Complete a tax check for a taxi, private hire or scrap metal licence - GOV.UK \(www.gov.uk\)](http://www.gov.uk/complete-a-tax-check-for-a-taxi-private-hire-or-scrap-metal-licence)

9. The correct fees to include the application fee, DBS fee, Knowledge Test Fee, DVLA Check Fee (please note that any fees for pre-application tests etc are non-refundable).

10. Any other documents an officer may ask you for to help progress your application.

The Licensing Team will process your application and make sure we have received everything we need to progress to stage 2. If the application is incomplete or documents are missing, your application will be returned to you for amendment.

STAGE 2 – Tests and Assessments

Applicants will now be invited to attend both a Knowledge Test and Safeguarding Training. Tests are held once a month. **The Knowledge Test and Safeguarding Training is mandatory and you must attend.**

Knowledge Test

Applicants for a driver's licence are required to have passed the Council's knowledge test. This test will ensure that the applicant has sufficient knowledge in relation to:

- Literacy and numeracy
- Child / adult safeguarding awareness
- Disability awareness (including physical and sensory disability)
- Road Safety
- Basic vehicle maintenance
- Customer care / customer awareness
- Highway Code
- Local knowledge

If applicants fail three successive knowledge tests they will be required to wait at least 12 months (from the date of the most recent failure) before being permitted to take further tests.

English and Maths

Ability in English and Maths will be assessed using our driver knowledge test and this section will be subject to a sub pass mark of 80% to have a completed pass grade.

Safeguarding Training

All applicants are required to undertake an awareness raising session on safeguarding children and vulnerable adults. This training must be approved by the council (such as the training delivered by the Corporate Transport Unit as part of the home to school contract provision). If you have not had any approved training, Safeguarding Training will be offered to you at the Town Hall. **Tests are held twice a month. The Safeguarding Training is mandatory and you must attend.**

Driver Assessment

Applicants are required to satisfactorily complete a driver assessment test to DVLA standards. Details of the test will be provided to the applicant by the Licensing Office. The applicant remains liable for all associated costs. The driver assessment must be passed before a licence can be issued. You are advised to book and complete this course as early as possible in the application process. Please use these links for providers: <https://www.bluelamptrust.org.uk/taxiassessments/>
<https://www.greenpenny.co.uk/taxi-assessment-booking-form/>

STAGE 3 – Determination of Licence

A Licensing Officer will review your entire application, including DBS and test results (as listed in stage 2).

Only at this stage will the Licensing Authority be satisfied that they have a 'full and complete application' to consider. If this is test satisfied then all applicants will then be assessed using a 'Fit & Proper test' to ensure that they are 'Safe & Suitable' to be issued with a licence at the point of determination.

The preparation of licences and driver badges requires time, therefore successful applicants will not expect to receive these immediately however, once prepared then Licensing Services may offer the licensee an opportunity to collect these items (in person) from the Town Hall rather than wait extra time for posting.

Licensing Services
 Scarborough Borough Council
 Town Hall
 St Nicholas Street
 Scarborough
 YO11 2HG



SCARBOROUGH
 BOROUGH COUNCIL

Application for Grant of Dual Driver's Licence

I hereby request the Licensing Authority to grant me a licence to allow me to act as the driver of a licensed taxi or private hire vehicle in accordance with the Public Health Act 1875, the Town Clauses Act 1847 and 1889 and the Local Government (Miscellaneous Provisions) Act 1976.

Please note that this application will not be accepted unless all sections have been completed and all original documents are enclosed.

Applicant

1.	Title:	<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other
2.	Surname:	
3.	Forenames:	
4.	Date of birth:	
5.	Permanent Address:	
6.	Telephone Number (Home):	
7.	Telephone Number (Mobile):	
8.	Email Address: <i>(This is compulsory)</i>	
9.	Address History: Please provide your full address details you have lived at in the last 5 years	

9.	If relevant, please provide details of any hackney carriage or private hire driver licences you have held in the last 5 years <i>(continue on a separate sheet of paper if necessary)</i>		
Issuing Council:	Badge No:	Issue Date:	Expiry Date:

10.	Have you ever been refused a hackney carriage or private hire driver's licence, or had the licence revoked or suspended by this or any other Council?		
<input type="checkbox"/> Yes <i>(If yes, please provide details below)</i> <input type="checkbox"/> No <i>(If no, please continue to q.12)</i>			
11.	Full details of whether it was revoked, suspended or refused <i>(continue on a separate sheet of paper if necessary)</i>		

12.	Private Hire Operator Details		
If you intend to obtain your work from a private hire operator, please provide details below.			
Private Hire Operator Name:		Address:	

13.	Do you have any criminal convictions (including 'spent' convictions), motor offences ASBO's, Cautions, Binding Over or Public Order Fixed Penalty Notices recorded against you?		
<p>Hackney Carriage and Private Hire Driver professions are exempt from the Rehabilitation of Offenders Act 1974 therefore applicants must declare ALL convictions or cautions even those that may normally be deemed spent.</p> <p><input type="checkbox"/> No - I have never been convicted of ANY offence and I have never been cautioned for any offence <i>(if no, please continue to 17).</i></p> <p><input type="checkbox"/> Yes - I list here full details of EVERY offence for which I have ever been convicted, together with full details of every offence for which I have been cautioned, and full details of every offence for which I am currently being prosecuted.</p>			

		Date of Offence	Date of Conviction	Offence
14.	Details of offences: <i>(Continue on a separate sheet of paper if necessary. Remember to put your name and date of birth at the top)</i>			

<p>Please explain the circumstances surrounding your offence(s) <i>(Continue on a separate sheet of paper if necessary. Remember to put your name and date of birth at the top)</i></p>				

15.	<p>Do you have any pending prosecutions, have been charged with any offence or are you currently being investigated by the Police or any other enforcement agency for any motoring or criminal offence that you are aware of?</p>
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<input type="checkbox"/> Yes <i>(If yes, please provide details below)</i>	<input type="checkbox"/> No <i>(If no, please continue to 17)</i>
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16.	<p>Details of pending prosecutions/alleged offences: <i>(Continue on a separate sheet of paper if necessary. Remember to put your name and date of birth at the top)</i></p>	
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<p>Please explain the circumstances surrounding any pending prosecutions/alleged offences <i>(Continue on a separate sheet of paper if necessary. Remember to put your name and date of birth at the top)</i></p>	
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17.	<p>Immigration Act 2016 – Status Check (Right to work)</p>
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Your right to work in the UK will be checked as part of your licence application and this could include the Council checking your immigration status with the Home Office. You must therefore provide a suitable document or document combination for this check (see pages 9 and 10 of the guidance). The document(s) will be checked at an appointment with you and copies retained by the Council with the original document(s) 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 fee 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 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 cease to have effect and you must return it to the licensing authority. Failure to do so is a criminal offence.

18.	<p>Enclosures</p>
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<p>I have made or enclosed payment of the fee</p>	<input type="checkbox"/>
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I have enclosed 1 passport size colour photograph taken within the last 12 months (<i>wearing glasses if you need them to drive</i>)	<input type="checkbox"/>																				
I have enclosed suitable documentation for my Immigration Act 2016 Status Check	<input type="checkbox"/>																				
I have enclosed my DVLA driving licence	<input type="checkbox"/>																				
I have enclosed a Scarborough Borough Council Medical Report from my own GP (or GP with access to my medical records)	<input type="checkbox"/>																				
I have enclosed a DBS certificate dated within 6 months or Confirm that I have submitted an application for a DBS via NYCC (see notes)	<input type="checkbox"/>																				
My Driving licence check code is: Please write clearly using both upper and lower case letters as shown on your code. <table border="1" style="width: 100%; height: 20px;"> <tr> <td style="width: 20px; height: 20px;"></td> </tr> </table> Please provide the last 8 characters of your Driving Licence (for example 192GT2BD) <table border="1" style="width: 100%; height: 20px;"> <tr> <td style="width: 20px; height: 20px;"></td> </tr> </table>																					<input type="checkbox"/>
My HMRC Code is (if applicable – please refer to guidance notes): <table border="1" style="width: 100%; height: 20px;"> <tr> <td style="width: 20px; height: 20px;"></td> </tr> </table>											<input type="checkbox"/>										
My National Insurance Number is: <table border="1" style="width: 100%; height: 20px;"> <tr> <td style="width: 20px; height: 20px;"></td> </tr> </table>											<input type="checkbox"/>										
I have enclosed my Driver Assessment Pass Certificate	<input type="checkbox"/>																				
I am unable to enclose my Driver Assessment Certificate – I can confirm I have booked the course and will attend on the following date: <p style="text-align: center;">.....</p> <i>Please email a pass certificate to licensing.services@scarborough.gov.uk as soon as you have it. Failure to do so will delay your application.</i>	<input type="checkbox"/>																				
19.																					
I understand that I may be liable for prosecution if I have knowingly or recklessly made a false statement or omitted any material particular to this application.	<input type="checkbox"/>																				
I declare I am entitled to work in the UK as a Private Hire Driver / Licensed Taxi Driver.	<input type="checkbox"/>																				
I have signed up to the DBS update service / I will sign up to the DBS update service upon receipt of my DBS certificate and give Scarborough Borough Council permission to check my status online. If you have already signed up to the DBS Update Service please provide your Certificate Number (<i>this can be found at the top right hand side of your DBS certificate</i>). <table border="1" style="width: 100%; height: 20px;"> <tr> <td style="width: 20px; height: 20px;"></td> </tr> </table>													<input type="checkbox"/>								

20. Signature (A)
<p>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 for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes.</p> <p>As part of the application process, all applicants are required to provide details of all convictions, cautions and fines that may have accrued over time. All such offences should be disclosed regardless of age. The Council will verify this information by checking the specific declaration with the details held by the DBS and DVLA. The Council will handle such data in accordance with the Data Protection Act 1998, the principles laid down by the Information Commissioner's Office and the</p>

Council's Data Retention and Disposal Schedule.			
The data is used as part of the statutory application process to determine whether applicants are a 'fit and proper' person to hold the respective licence. This process may include the information being presented to the Council's Licensing Committee for determination.			
Signature:		Date:	

21.	Signature (B)		
I hereby declare that the information given in this form is true, complete and correct and that I have no objections to, and hereby authorise the council to make such enquiries as may be necessary to check the truth of that information, which could include requesting information from other Councils, Police and Government departments such as the Home Office. I authorise Scarborough Borough Council to enquire and receive information relating to my hackney carriage or private hire licence and/or conduct matters relevant to my application.			
Signature:		Date:	

Using your personal information

We will process your personal information in accordance with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018. We may use your personal information in a number of ways, but only for the purposes for which it was given, for example to provide you with the information or services requested or to administer and protect public funds. We may share your information with, and obtain information about you from, other departments of the Council or other organisations where it is lawful to do so, for example to check the accuracy of information or to prevent or detect crime. For further information on how we collect, use, share, secure and retain your personal information, and your legal rights, please see our Privacy Notice at www.scarborough.gov.uk/gdpr or by contacting Customer First. Our Data Protection Officer can be contacted at the Town Hall, St Nicholas Street, Scarborough, YO11 2HG (tel 01723 232323 or email dataprotection@scarborough.gov.uk).