

Taxi and Private Hire Licensing

Legal, Licensing & Registration



A Guide to Obtaining
a Private Hire Licence



Leeds
CITY COUNCIL

Taxi and Private Hire Licensing - Useful Information

This booklet offers guidance on how to apply for a Private Hire Driver Licence, Operator Licence and Vehicle Licence.

It is very important that you read and understand our policy on driving and criminal convictions before you apply.

Please check the information contained in Appendix A - the Right to Work in the UK to ensure you are able to produce the requested documentation.

If you have any questions please speak to a Licensing Officer.

Once you have completed your application form and have all of the relevant documents, as listed on the application form, you should telephone the Taxi and Private Hire Licensing Section to make an appointment to complete the application process.

Your completed application form must be submitted in person along with the appropriate documentation and fee. If you cannot attend your appointment for any reason, please let us know as soon as possible. Preference is given to first time appointees.

It is essential that all documents are completed prior to your appointment as this may result in a delay in processing your application.

Applications remain valid for a period of 12 months. If you do not pass and complete all of the required tests within this time period, your application will be cancelled.

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1. Introduction

In England (outside London), Hackney Carriage and Private Hire licences are issued by local Councils to control the safe operation of Hackney Carriage and Private Hire vehicles being used for hire or reward.

In Leeds, licensing and enforcement matters are dealt with by the Taxi and Private Hire Licensing Section.

Each licence has a set of Conditions, which the licence holder must comply with. Copies of these Conditions are contained within new application packs, are available on the Leeds City Council website and are readily available upon request at the Taxi and Private Hire Licensing Reception.

Licences are issued for a period of one year. However, please note that your first vehicle licence will only be issued for 11 months. For example, if a licence is issued on 1 March 2010, the expiry date would be 28 February 2011. If the expiry date was 31 March 2011, the licence would be issued for more than a 12 months period.

2. Private Hire driver licence

2.1 Am I eligible to apply for a Private Hire driver licence?

In order to proceed with a Private Hire driver licence application, you must:

- a. Be at least 18 years old and have held a Full British Driving Licence for at least one year. Both counterparts of the DVLA driving licence or a paper licence must be presented upon submission of the application form
- b. Undergo & pass a Group II medical examination by your own GP or another GP in the same practice, any cost of which will be borne by you. The report form must be completed, signed and stamped by the surgery or health centre attended and be dated within 4 months of submitting your application
- c. Complete an Enhanced Criminal Records Bureau (CRB) disclosure form. This must be completed at the Licensing Counter, using black ink. To support this form you will need to provide:
 - (i) 2 x recent utility bills stating your name and address e.g. gas, electricity, bank statement, which must not be more than three months old.
 - (ii) 2 x recent identical colour passport photographs
 - (iii) Documentary evidence of your National Insurance number
 - (iv) Evidence that you are entitled to remain in this country and able to work.

- d. Undergo a driving examination set by the Driving Standards Agency (DSA), the cost of which will be borne by you
- e. Produce a letter of introduction, on letter headed paper, from your intended employer (Operator)
- f. Pay the applicable fee (licence fee, CRB disclosure fee, knowledge training fee and Literacy test fee), payable by cash, debit card and/ or cheque, made payable to Leeds City Council
- g. Complete and pass a Literacy test
- h. Complete and pass the Private Hire Driver Knowledge test using the Training Package obtained on application of your licence.

2.1.1 I was born outside of the UK – can I still apply?

You must be eligible to live and work in the UK and provide documentary evidence of this.

The UK Border Agency has produced a list of documents that will be accepted as evidence, see below;

List A - Documents which establish ongoing entitlement to work in the UK

1. A passport showing that the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the United Kingdom and Colonies having the right of abode in the United Kingdom.
2. A passport or national identity card showing that the holder, or a person named in the passport as the child of the holder, is a national of the European Economic Area or Switzerland.
3. A residence permit, registration certificate or document certifying or indicating permanent residence issued by the Home Office, Border and Immigration Agency or UK Border Agency to a national of a European Economic Area country or Switzerland.
4. A permanent residence card issued by the Home Office, Border and Immigration Agency or UK Border Agency to the family member of a national of a European Economic Area country or Switzerland.
5. A Biometric Immigration Document issued by the UK Border Agency to the holder which indicates that the person named in it is allowed to stay indefinitely in the United Kingdom, or has no time limit on their stay in the United Kingdom.
6. A passport or other travel document endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the United Kingdom, has the right of abode in the United Kingdom, or has no time limit on their stay in the United Kingdom.

7. An Immigration Status Document issued by the Home Office, Border and Immigration Agency or UK Border Agency to the holder with an endorsement indicating that the person named in it is allowed to stay indefinitely in the United Kingdom or has no time limit on their stay in the United Kingdom, when produced in combination with an official document giving the person's permanent National Insurance Number and their name issued by a Government agency or a previous employer.
8. A full birth certificate issued in the United Kingdom which includes the name(s) of at least one of the holder's parents, **when produced in combination with** an official document giving the person's permanent National Insurance Number and their name issued by a Government agency or a previous employer.
9. A full adoption certificate issued in the United Kingdom which includes the name(s) of at least one of the holder's adoptive parents **when produced in combination with** an official document giving the person's permanent National Insurance Number and their name issued by a Government agency or a previous employer.
10. A birth certificate issued in the Channel Islands, the Isle of Man or Ireland, **when produced in combination with** an official document giving the person's permanent National Insurance Number and their name issued by a Government agency or a previous employer.
11. An adoption certificate issued in the Channel Islands, the Isle of Man or Ireland, **when produced in combination with** an official document giving the person's permanent National Insurance Number and their name issued by a Government agency or a previous employer.
12. A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance Number and their name issued by a Government agency or a previous employer.
13. A letter issued by the Home Office, Border and Immigration Agency or UK Border Agency to the holder which indicates that the person named in it is allowed to stay indefinitely in the United Kingdom **when produced in combination with** an official document giving the person's permanent National Insurance Number and their name issued by a Government agency or a previous employer.

List B - Documents which indicate restricted entitlement to work in the UK

1. A passport or travel document endorsed to show that the holder is allowed to stay in the United Kingdom and is allowed to do the type of work in question, provided that it does not require the issue of a work permit.
2. A Biometric Immigration Document issued by the UK Border Agency to the holder which indicates that the person named in it can stay in the United Kingdom and is allowed to do the work in question.

3. A work permit or other approval to take employment issued by the Home Office, Border and Immigration Agency or UK Border 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 do the work in question, or a letter issued by the Home Office, Border and Immigration Agency or UK Border Agency to the holder or the employer or prospective employer confirming the same.
4. A certificate of application issued by the Home Office, Border and Immigration Agency or UK Border Agency to or for a family member of a national of a European Economic Area country or Switzerland stating that the holder is permitted to take employment which is less than 6 months old **when produced in combination with** evidence of verification by the UK Border Agency Employer Checking Service.
5. A residence card or document issued by the Home Office, Border and Immigration Agency or UK Border Agency to a family member of a national of a European Economic Area country or Switzerland.
6. An Application Registration Card issued by the Home Office, Border and Immigration Agency or UK Border Agency stating that the holder is permitted to take employment, **when produced in combination with** evidence of verification by the UK Border Agency Employer Checking Service.
7. An Immigration Status Document issued by the Home Office, Border and Immigration Agency or UK Border Agency to the holder with an endorsement indicating that the person named in it can stay in the United Kingdom, and is allowed to do the type of work in question, **when produced in combination with** an official document giving the person's permanent National Insurance Number and their name issued by a Government agency or a previous employer.
8. A letter issued by the Home Office, Border and Immigration Agency or UK Border Agency to the holder or the employer or prospective employer, which indicates that the person named in it can stay in the United Kingdom and is allowed to do the work in question **when produced in combination with** an official document giving the person's permanent National Insurance Number and their name issued by a Government agency or a previous employer.

Please note: your application will not be accepted if you cannot supply the relevant documents. Licences granted to drivers whose leave to remain in the UK is time-limited will only be valid for the period for which they are entitled to work in the UK. To extend your licence you must produce further evidence to prove you have the right to work in the UK.

We must be satisfied that you hold an appropriate driving licence to drive in the UK for vocational purposes i.e. driving for a job. Some foreign licences can be used in this country for 12 months after residency and after this time an application must be made for a UK licence.

Holders of a European Community licence may use this licence for vocational driving up to certain age limits or for 5 years after becoming a resident, whichever is sooner.

As a vocational driver, the DVLA advise that you register with them and apply for a UK counterpart to go with your existing EC licence. For further information please see <http://www.direct.gov.uk> or contact the DVLA on 0870 240 009.

If you were born outside of the UK and came to the UK as an adult, you must provide a Criminal Record Check from the country(s) outside of the UK that you have lived in. If you cannot produce this, a certificate of good conduct from the relevant Embassy must be provided to ensure that you have not committed any offence in that country that would make you unsuitable to be licensed by Leeds City Council. This certificate must be an original copy and accompanied by an original certified translation from a sworn translator as applicable.

If you came to the UK as a child (under the age of 17), you must provide proof of this to remove the requirement for a Criminal Record Check as above.

For more information on working in the UK please visit the Government website – www.ukvisa.gov.uk

2.1.2 Why do I need to undertake a CRB disclosure to be licensed?

Your role as a Private Hire driver and/ or Operator may bring you into contact with vulnerable groups such as the infirm, elderly, mentally ill and young people under the age of 18. To protect these vulnerable client groups we must check for the existence and content of any criminal record.

A Standard disclosure contains details of any spent and unspent convictions, as well as cautions, reprimands and warnings, recorded by the police centrally. Additionally, enhanced disclosures may contain non-convicted information from local Police records which a Chief Police Officer thinks may be relevant in connection with the matter in question. Your licence application will be subject to an Enhanced Disclosure.

You will receive your disclosure at your home address, direct from the CRB, and a copy will also be sent, in confidence, to the registered representative here at the Taxi and Private Hire Licensing Section. The information provided will be treated as strictly confidential and will only be used in relation to this application.

A further CRB must be undertaken if your licence has not been granted within 3 months of the date stated on your disclosure. For example, if you do not attend and pass your Literacy test within 3 months you will be required to complete a further disclosure form, at your own expense, before a licence is granted.

It is very important for you to be aware that a criminal record will not necessarily prevent you from obtaining a licence. Any information disclosed will be treated fairly and you will have the opportunity to make representations to the Officer dealing with your application. (Please see 6. I'm interested in becoming a Private Hire driver but I have a criminal conviction – can I still apply? for further guidance.)

Please note that the application you have submitted is exempt from the Rehabilitation of Offenders Act 1974, which means all convictions, cautions, reprimands and final written warnings on your criminal record need to be disclosed on your application form. You should also provide details of any Police enquiries undertaken following allegations against you which may have a bearing on your application.

2.1.3 Why do I need to pass a Literacy test?

The Literacy test was introduced as a result of concerns raised by both the public and the trade, that some licence applicants have difficulty speaking, reading or writing English where it is not their first language.

The test is set and run by a recognised organisation and covers the following key areas:

- Speaking clearly: giving information
- Reading signs and documents
- Writing: transferring information
- Dealing with fares

2.1.4 Why do I need to attend Private Hire Knowledge training?

The Private Hire Knowledge training and test has also been introduced as a result of concerns raised both by the public and the trade, that some licence applicants:

- Do not have a working knowledge of the law surrounding the Private Hire trade
- Are not familiar with the Leeds District

The training is delivered by the Taxi and Private Hire Licensing Section and is a full day course. At the point of application, you will be given a training pack which you will be expected to study before attending the course.

You will be tested over the course of the day on:

- Knowledge of Private Hire legislation and Conditions
- Geographical knowledge – Districts of Leeds and City Centre locations
- Use of an A-Z to find your way around Leeds

Further information is provided in your training pack upon application.

2.1.5 I'm eligible to apply and I've completed my application form – what happens next?

Once you have completed your application form, contact the Taxi and Private Hire Licensing Section to make an appointment to complete the application process.

You must submit your application form in person along with the appropriate documentation and fee.

At your appointment, you will be allocated an application number; this is a unique reference number that is also clearly stated on your receipt. Please keep your receipt safe as you will need to quote the unique reference number in any future enquiries regarding your application.

The following steps show how your application will be processed by the Licensing Officer:

- Your application form will be checked for any errors or omissions
 - Your DVLA drivers licence and DSA appointment letter or pass sheet will be checked and copied for inclusion in your file
 - Your Group II Medical Report form will be checked for any errors or omissions
 - Your CRB Disclosure form will be checked for any errors or omissions:
- a) If you have declared any convictions, the Licensing Officer will refer you to the Licensing Manager who will provide an explanation and guidance as to what options are available
 - b) If, after all available options have been explained to you and you wish to withdraw your application, the licence fee will be refunded. If you choose to continue with your application, there will be no refund of fees if the licence is not granted as a result of the CRB results
 - c) If you have not declared any convictions, your application will be processed
 - A cash receipt will be issued and you will be allocated a Badge Number
 - You will be given a date to attend your Literacy test
 - You will be given a date to attend your Private Hire Driver Knowledge test

2.1.6 I've submitted my application form and passed my tests – how long will it take for a licence to be granted?

It can take 4-6 weeks for your CRB disclosure to be returned. Please be aware that you will receive your copy before us.

If your CRB disclosure form contains any convictions or cautions your file will be passed to the Section Head to decide whether or not to grant a licence. Some applicants may have an offence (or offences) that prevent a licence being granted. If this situation arises you will be informed as soon as is practicably possible. Fees will not be refunded at this stage.

If your CRB disclosure form does not contain any convictions or cautions and we have all the relevant documentation we require, the Licensing Manager will authorise the granting of your licence. You will be contacted by us when your licence is ready to be granted.

2.2 Why do I need to achieve an NVQ and VRQ?

In September 2008, the Leeds Licensing and Regulatory Panel made a decision that requires all Taxi and Private Hire drivers to achieve a VRQ and NVQ level of attainment appropriate to the trade:

- VRQ Level 2 Certificate in Road Passenger Transport, and
- NVQ Level 2 in Road Passenger Vehicle Driving (Hackney Carriage and Private Hire Vehicles)

As a new applicant, you have 12 months from the date of your licence being granted to attain these qualifications.

The training programme is specifically designed for the Taxi and Private Hire trade and provides drivers with the opportunity to acquire two nationally recognised qualifications relative to their job.

2.3 How do I renew my Private Hire driver licence?

Each year a renewal form will be sent to your home address and it is your responsibility to ensure that your licence is renewed before its expiry date.

Your completed renewal form must be submitted in person at the Taxi and Private Hire Section no later than the date indicated.

In order to proceed with the renewal, you must:

- Produce both counterparts of the DVLA driving licence or a paper licence
- Ensure the renewal form is stamped and signed by your Operator
- Produce your current Private Hire drivers licence
- Produce your current Private Hire drivers badge
- Pay the applicable fee payable by cash, debit card or cheque made payable to Leeds City Council

You may renew your badge one month before your renewal date. However the month that you do renew your badge will be the month that will be displayed as the expiry the following year.

IMPORTANT - If you do not renew on time, your licence will expire and you will be treated as a 'new' applicant and you will need to go through the same procedure as that specified for the grant of a licence.

3. Private Hire vehicle licence

3.1 I want to licence my vehicle for Private Hire – what do I need to do?

The public must be safe and comfortable in a licensed Private Hire vehicle and there is an expectation that this will be the case when a vehicle has been licensed by the Taxi and Private Hire Licensing Section of Leeds City Council.

Only vehicles which meet all of our licensing conditions and comply with MOT standards will be licensed.

We do not have an approved list of Private Hire vehicles as each make and model is assessed individually before being granted a licence; the vehicle must be inspected on site by one of our Vehicle Examiners. Any vehicle with more than 4 passenger seats must have the seating inspected before being booked in for a vehicle inspection. This is to ensure that they meet our criteria.

Only vehicles up to five years old will be licensed and licences will only be renewed up to seven years old i.e. the last licence a vehicle will be granted will be prior to its seventh year. This is determined by the date of first registration on the registration certificate.

Our Vehicle Examiners will be happy to discuss the approval process with you if required.

In order to proceed with the application, you must:

- Produce a completed application form, in person
- Produce the vehicle registration document (V5C) in your name or a Bill of Sale (which must state the sellers name & address, the buyers name & address, details of the vehicle being sold, both signatures and be dated) and the V5C/2 Section 10 (New Keeper Supplement)
- Produce a MOT certificate if the vehicle is more than three years old at the time of application
- Produce original insurance documents
- Ensure the vehicle is less than five years old at the time of application
- Pay the applicable fee payable by cash, debit card or cheque, made payable to Leeds City Council.

3.1.1 I've completed my vehicle licence application form – what happens next?

The following steps show how your application will be processed by the Licensing Officer:

- Your application form will be checked for any errors or omissions
- A HPI check will be carried out to ensure that the vehicle is mechanically sound and that no finance arrears are attached to it
- A vehicle test date will be booked where your vehicle will be tested to a MOT standard and to ensure it meets the Conditions attached to the grant of a licence.

(i) If your vehicle fails, certified repairs must be carried out before a licence can be granted.

- Details of the times and dates for livery fitting are provided

Once your vehicle has passed the test you must produce:

- Your current Private Hire drivers badge
- Operator livery

Upon receipt of these a paper licence and vehicle disc will be produced and vehicle livery fitted.

Vehicles must be licensed within one month of the application date. Failure to do so will result in the application being cancelled. No refunds will be given at this stage.

3.2 How do I renew my Private Hire vehicle licence?

Each year a renewal form will be sent to your home address and it is your responsibility to ensure that your licence is renewed before its expiry date.

Your completed renewal form must be submitted in person at the Taxi and Private Hire Section no later than the date indicated.

In order to proceed with the renewal, you must:

- Ensure your renewal form is stamped and signed by your Operator
- Produce your current Private Hire vehicle licence
- Produce a valid Certificate of Insurance covering the use of Hire & Reward
- Produce the current MOT certificate as applicable
- Produce a current tail lift certificate as applicable
- Produce the Registration document (V5C)
- Pay the applicable fee payable by cash, debit card or cheque, made payable to Leeds City Council.

IMPORTANT - If you do not renew on time the vehicle will be treated as a 'new' application and you will need to go through the same procedure as that specified for the grant of a licence.

3.3 I want to transfer my Private Hire vehicle licence to another driver – what do I need to do?

When transferring your Private Hire vehicle you are required by law to notify us, in writing, within fourteen days of the transfer taking place.

The new owner must provide part 2 of the V5 Registration document, bill of sale and a completed notice of transfer form. A HPI check will be undertaken and the vehicle will be booked in for an inspection by our Vehicle Examiners.

When all the relevant documentation has been received, and applicable fee paid, the transfer will be processed and our records updated.

We strongly advise that before purchasing a vehicle, a HPI check is undertaken to ensure that the vehicle has not been involved in an accident and subsequently been declared a total loss. We also recommend that, prior to purchase, the vehicle undertakes an examination by a Vehicle Examiner to ensure it complies with Leeds City Council's Licensing Conditions.

Existing licensed drivers wishing to HPI a vehicle before they buy can have the check carried out by the Taxi and Private Hire Licensing Section for a fee.

4. Private Hire Operator Licence

4.1 Am I eligible to apply for a Private Hire Operator licence?

In order to proceed with a Private Hire Operator licence application you must:

- a. Be aware that all applications for an Operator licence must be made in the name of one person
 - (i) If the application is to be made on behalf of a Company and/ or a Partnership all interested parties should complete the applicable application form
- b. Provide proof of Planning Consent or Exemptions
- c. Provide proof of Public Liability insurance
- d. Submit samples of your Operator livery, which will be displayed on your vehicles (windscreen & doors), for approval
- e. Complete a CRB disclosure form. CRB disclosure forms must be completed at the Licensing Counter, using black ink. To support this form you will need to provide;
 - (i) 2 x recent utility bills stating your name and address e.g. gas, electricity, bank statement, which must not be more than three months old. Mobile telephone bills will not be accepted as proof of residency.
 - (ii) 2 x recent identical colour passport photographs
 - (iii) Documentary evidence of your National Insurance number
 - (iv) Original EEA passport or evidence that you are entitled to remain in this country and able to work

- f. Both counterparts of the DVLA driving licence or a paper licence must be presented upon submission of the application form
- g. Complete and pass the Literacy test if not already undertaken
- h. Attend an Operator Seminar
- i. Pay the applicable fee (licence fee, CRB disclosure fee and Literacy test fee), payable by cash, debit card or cheque, made payable to Leeds City Council.

4.1.1 I'm eligible to apply and I've completed my application form – what happens next?

Once you have completed your application form, contact the Taxi and Private Hire Licensing Section to make an appointment to complete the application process.

You must submit your application form in person along with the appropriate documentation and fee.

At your appointment, you will be allocated an application number; this is a unique reference number that is also clearly stated on your receipt. Please keep your receipt safe as you will need to quote the unique reference number in any future inquiries regarding your application.

- Your application form will be checked for any errors or omissions
 - Your CRB Disclosure form will be checked for any errors or omissions:
- a) If you have declared any convictions, the Licensing Officer will refer you to the Licensing Manager who will provide explanation and guidance as to what options are available.
 - b) If, after all available options have been explained to you and you wish to withdraw your application, the licence fee will be refunded. If you choose to continue with your application, there will be no refund of fees if the licence is not granted as a result of the CRB results.
 - c) If you have not declared any convictions, your application will be processed.
 - An Operator site visit and a seminar will be arranged with an Enforcement Officer
 - A cash receipt will be issued and you will be allocated an Operator Number

4.2 How do I renew my Private Hire Operator licence?

Each year a renewal form will be sent to your Operator address and it is your responsibility to ensure that your licence is renewed before its expiry date.

Your completed renewal form must be submitted in person at the Taxi and Private Hire Section no later than the date indicated.

In order to proceed with the renewal, you must:

- Produce evidence of current planning consent
- Produce your current Private Hire Operator's licence
- Produce your certificate of Employers and Public Liability Insurance
- Produce your schedule of vehicles and drivers
- Produce DTI certificate
- Produce documentary evidence of your National Insurance number
- Pay the applicable fee payable by cash, debit card or cheque, made payable to Leeds City Council.

IMPORTANT - If you do not renew on time you will be treated as a 'new' applicant and you will need to go through the same procedure as that specified for the grant of a licence.

5. How much will it cost to apply for/ renew my licence?

Please find below a full list of fee's associated with the application and renewal of Private Hire licences:

Licence or Service Item

Private Hire only	Fee
Driver Application	£120
Driver Renewal	£115
Vehicle Application	£120
Vehicle Renewal	£115
Operator Application	£400
Operator Renewal	£300
Knowledge Training Pack	£15
1st Driver knowledge Re-Test	£20
2nd Driver Knowledge Re-Test	£90
Set of vehicle stickers (no bonnet)	£55
Set of vehicle stickers (with bonnet)	£70
Door sticker only	£25
Rear sticker only	£20
Hackney Carriage only	
Driver Application	£100
Driver Renewal	£115
Vehicle Application	£120
Vehicle Renewal	£115
Local Knowledge Re-Test	£50
Disability Discrimination Awareness Training	£40

Vehicle Livery	£40
Rear Metal plate	£15
Meter check & seal	£10
Other Fees	
CRB Check	£60
Literacy Test	£25
Vehicle Inspection (incl. Failure to Attend)	£30
Vehicle Transfer (incl. inspection)	£60
Vehicle Transfer	£30
Duplicate Driver Badge	£10
Duplicate Vehicle Disc	£10
Duplicate Licence	£5

6. I'm interested in becoming a Private Hire driver but I have a criminal conviction – can I still apply?

A points criteria system is used to ensure that decisions are made on hard criteria and are both consistent and fair in arriving at the decision.

The objective of the system is to define a 'fit and proper person' and to ensure that you, the applicant, fulfil the requirement of being a fit and proper person before a licence is issued.

All applicants will be considered on their individual merits.

The system incorporates three criteria, as supplied by you to the Police. These criteria are:

- (i) Date of conviction
- (ii) Type of offence
- (iii) Sentence imposed

If you do not have a conviction then the points system will not form part of your application process.

If your conviction is spent in terms of the rehabilitation period required by the Rehabilitation of Offenders Act 1974, then generally that conviction will not be taken into account and the points system will not form part of the application process. However, there may be some circumstances where the Council do take into account spent convictions.

The criteria use 9 points as the maximum number of points you can hold in order to obtain a licence. If you demonstrate 10 or more points your application would be refused.

If you are the subject of current criminal investigations and/or currently being prosecuted for criminal offences, your application will be dealt with on the basis that you could be convicted of the offence.

In deciding whether you are fit and proper, the Council may consider any other relevant information provided to it by external agencies. If in those circumstances you would then have 10 or more points, the application would be refused.

A refusal of an application will be given in writing, detailing the reason for the refusal and informing you of your right to appeal against the decision to the Magistrate's Court in accordance with the provisions of the Local Government (Miscellaneous Provisions) Act 1976.

7. I'm interested in becoming a Private Hire driver but I have a motoring conviction – can I still apply?

Motoring convictions adopt different criteria dependant on the conviction(s) disclosed on the licence and are broken into two groups:

- (a) Minor road traffic offences
- (b) Major road traffic offences

Minor Road Traffic Offences:

Convictions for minor traffic offences should not prevent you from proceeding with an application or holding a licence. However, if the number of current points on your DVLA licence exceeds 12 points then your application will be refused or the current licence suspended or revoked.

A further application will not be approved until the DVLA licence demonstrates that the number of current points on the licence is below 13 points.

If a period of disqualification has been received on a licence, a period of 6 months must have elapsed from the restoration of the DVLA licence and be free from any other motoring conviction before an application is approved or a licence restored. Should the DVLA licence demonstrate a further conviction since the disqualification period, then a 6 months period must elapse from the date of the last conviction on the DVLA licence before an application is approved or a licence restored.

Major Road Traffic Offences:

An isolated conviction for major traffic offences should not prevent a person from proceeding with an application or holding a licence. However, if more than one conviction for an offence under this heading is shown to be current on the DVLA licence, then an application will be refused or the current licence suspended or revoked.

Where the DVLA licence demonstrates more than one conviction of this type a period of 6 months must have elapsed from the date of the last conviction on the DVLA licence before an application is approved or a licence restored.

If a period of disqualification has been received on a licence, a period of 6 months must have elapsed from the restoration of the DVLA licence and be free from any other motoring conviction before an application will be approved or a licence restored.

Should the DVLA licence demonstrate a further conviction since the disqualification period then a 6 months period must elapse from the date of the last conviction on the DVLA licence before an application is approved or a licence restored.

An application received which details one of the following offences on the DVLA licence; DD30, DD60, DD70, will automatically be refused or a current licence suspended or revoked. No further application will be approved until such time as that conviction is removed under the Rehabilitation of Offenders period. Other offences covered in this section will be treated under the dishonesty/violence category as detailed in the Criminal Convictions section.

Driving a Motor Vehicle under the Influence of Drink or Drugs:

A serious view is taken of convictions of driving or being in charge of a vehicle while under the influence of drink or drugs. An application with one conviction on the DVLA licence under this category will be accepted providing a 12 months period has elapsed since the restoration of his DVLA licence. More than one conviction of this type and the application will be refused until such time as one of the convictions has been removed under the Rehabilitation of Offenders period.

8. What powers does the Council have to renew, suspend and revoke a licence?

Under the provisions of Section 61 of the Local Government (Miscellaneous Provisions) Act 1976, a district council may suspend, revoke or refuse to renew the licence of a Hackney Carriage or a Private Hire driver and/ or vehicle, on any of the following grounds:

That since the grant of the licence:

- (i) The driver has been convicted of an offence involving dishonesty, indecency or violence
- (ii) Been convicted of an offence under or has failed to comply with the provisions of the Act of 1847 of this Part of this Act
- (iii) Any other reasonable cause.

Again, under the provisions of Section 62 of the Act, a district council may suspend, revoke or refuse to renew an Operators' licence on any of the following grounds:

- (i) Any offence under or non-compliance with, the provisions of this part of this Act
- (ii) Any conduct on the part of the Operator which appears to the district council to render him unfit to hold an Operators licence

- (iii) Any material change since the licence was granted in any of the circumstances of the operator on the basis which the licence was granted
- (iv) Any other reasonable cause.

In addition, the points system will be used to define if someone is a fit and proper person to hold a licence. If a licence holder were to accrue sufficient points during the currency of his/her licence by being convicted of offences to warrant suspension, revocation, or non renewal, of his licence(s) then the points criteria can be construed to be 'any other reasonable cause'.

9. Plying for Hire

In March 2007, the Taxi and Private Hire Licensing Section introduced a Plying for Hire policy. This aims to clearly set out the consequences to licensed drivers, in terms of suspension or revocation of their Private Hire drivers licence, where plying for hire offences are revealed.

Key Points of the Policy:

- Where a licensed driver is found to be plying for hire, with evidence which supports a criminal prosecution, or Home Office Caution, that the driver will normally be suspended and immediate consideration given to the revocation of the licence.
- Where a drivers licence has been successfully revoked or not renewed, that driver will, normally, not be granted a further licence by this Council for one year.
- Where there is an existing conviction or formal Home Office Caution for this type of offence, wherever it occurred, when an application for a new licence is received, the applicant will normally not be granted a licence for a year following the date of conviction or caution.
- In the event of a second such incident, the driver or applicant would not normally have a licence granted for three years following the date of conviction or caution.
- In every instance however, each case would be considered on its own merits
The affected driver, or applicant, has a right of appeal, within the Act, direct to the Magistrates Court. There is also the opportunity to judicially review such a policy.

10. Rehabilitation of Offenders Act 1974

Under the Rehabilitation of Offenders Act 1974 you are not obliged to disclose any offence resulting in one of the Sentences in the left-hand column below if the corresponding period in the right-hand column has elapsed.

Table A - Rehabilitation periods

Sentence	Period
Imprisonment exceeding 6 months but not exceeding 30 months	10 Years
Imprisonment not exceeding 6 months	7 Years
Fine or any other sentence not in table B	5 Years
NOTE: These periods are subject to reduction by half for persons under 17.	

Table B - Rehabilitation periods for sentences confined to young offenders

Sentence	Period
Borstal training	7 Years
S.53 Detention exceeding 6 months but not exceeding 30 months.	5 Years
S.53 Detention not exceeding 6 months.	3 Years
Detention Centre Order	3 Years
Absolute Discharge	6 months
Conditional discharge, binding over, probation, Committal to care of fit person, Supervision Order, Care Order	1 year from the date of conviction OR the date on which the order or requirement ceases, whichever is the longer
Remand Home Order, Approved School Order, Attendance Centre Order	1 year from the date of conviction OR when the order ceases to have effect, whichever is the longer
Driving disqualification (where no fine is imposed)	The date on which the disqualification ceased to have effect

Sentences excluded from rehabilitation:

Life imprisonment

Preventative detention

Sentence of imprisonment or corrective training exceeding 30 months.

Extension of rehabilitation periods:

Generally, when during a rehabilitation period applicable to a conviction a person commits a further offence, neither offence can be regarded as spent until both rehabilitation periods have elapsed.

Appendix A – Interpreting the conviction criteria - some common questions you may have.

1. What is a conviction for the purpose of these criteria?

A conviction is commonly understood to mean the final disposal of a case after someone has either been found guilty or pleaded guilty to an offence. So, for example, if someone steals some goods on 3 March 2010, is charged by the police and pleads guilty at Court on 6 August 2010, he will have one conviction of theft recorded against him. The date of conviction would be 6 August 2010 and the offence date would be 3 March 2010.

2. What happens if I have been convicted of more than one similar matter on the same date (the offences occurring on the same or different dates)?

Strictly speaking, each separate conviction could be looked at separately under the criteria. However, for the purposes of these criteria, the most serious conviction only will be taken into account.

For example:

Offence of theft of goods committed on 3 March 2010.

Offence of theft of goods committed on 6 March 2010.

Offence of theft of goods committed on 2 April 2010.

All dealt with by the Court on 6 August 2010. Although strictly speaking these are separate convictions, for the purpose of interpreting these criteria, they will be regarded as one conviction of theft.

3. What if I have been convicted of several similar offences on the same date - which one(s) will be taken into account?

If someone is convicted of several matters on the same day, for example, three dishonest matters, two being shoplifting and one being burglary, then the most serious of the three - the burglary offence - will be taken into account.

4. What if I have been convicted of different types of offences on the same day?

If the offences are distinct from each other and do not obviously arise out of the same set of circumstances, they will be treated as separate convictions for the purpose of the criteria.

For example, if someone is convicted on 6 August 2010 of;

Two offences of shoplifting on 3 March 2010.

One offence of robbery on 2 April 2010.

One offence of criminal damage on 4 March 2010.

One offence of supplying drugs on 5 March 2010.

Then the convictions to be taken into account will be the more serious offence of robbery (being more serious than the other dishonest offences of shoplifting). The drug conviction and the criminal damage conviction will also be taken into account.

5. What if I had a series of convictions over many years but have not reached the 10 points threshold?

The Council may take into account these convictions under any other reasonable cause and decide not to grant a licence after considering the nature of the offences.

6. What if I have been charged with an offence but am not successfully prosecuted?

The Council may take into account this charge under any other reasonable cause and decide not to grant a licence after considering the nature of the charge.

Appendix B - Points Criteria Tables

Table 1 - Dishonesty

Date Since Conviction Received	12mth ago	24mth ago	36mth ago	48mth ago	60mth ago	72mth ago	84mth ago	96mth ago	108mth ago	120mth ago
	1yr	2yrs	3yrs	4yrs	5yrs	6yrs	7yrs	8yrs	9yrs	10yrs
Type of Offence	Points	Points	Points	Points	Points	Points	Points	Points	Points	Points
Dishonesty	Points are doubled if term of imprisonment served									
Theft	Refused	Refused	Refused	5	4	3	2	1	0	0
Theft – Shoplifting	Refused	Refused	Refused	5	4	3	2	1	0	0
Theft – Employee	Refused	Refused	Refused	5	5	4	3	2	1	0
Theft – From Vehicle	Refused	Refused	Refused	5	4	3	2	1	0	0
Burglary & Theft – Dwelling	Refused	Refused	Refused	Refused	8	6	4	2	0	0
Burglary & Theft – Non Dwelling	Refused	Refused	Refused	5	4	3	2	1	0	0
Burglary & Theft – Aggravated	Refused	Refused	Refused	Refused	Refused	Refused	8	6	4	0
Fraudulent Use	Refused	Refused	Refused	5	4	3	2	1	0	0
Handling	Refused	Refused	Refused	5	4	3	2	1	0	0
Receiving	Refused	Refused	Refused	5	4	3	2	1	0	0
Forgery	Refused	Refused	Refused	5	4	3	2	1	0	0
Conspiracy to Defraud	Refused	Refused	Refused	5	4	3	2	1	0	0
Obtain Money by Deception	Refused	Refused	Refused	5	4	3	2	1	0	0
Obtain Money by Forged Instrument	Refused	Refused	Refused	5	4	3	2	1	0	0
Deception	Refused	Refused	Refused	5	4	3	2	1	0	0
False Accounting	Refused	Refused	Refused	5	4	3	2	1	0	0
False Statement to Obtain Benefit	Refused	Refused	Refused	5	4	3	2	1	0	0
Going Equipped	Refused	Refused	Refused	5	4	3	2	1	0	0
Taking/Driving or Attempt to Steal Vehicle	Refused	Refused	Refused	5	4	3	2	1	0	0
Allow to be Carried in a Stolen Vehicle	Refused	Refused	Refused	5	4	3	2	1	0	0
Perverting Course of Justice	Refused	Refused	Refused	Refused	8	6	4	2	0	0

Table 2 - Drugs

Date Since Conviction Received	12mth ago	24mth ago	36mth ago	48mth ago	60mth ago	72mth ago	84mth ago	96mth ago	108mth ago	120mth ago
	1yr	2yrs	3yrs	4yrs	5yrs	6yrs	7yrs	8yrs	9yrs	10yrs
Type of Offence	Points	Points	Points	Points	Points	Points	Points	Points	Points	Points
Drugs	Points are doubled if term of imprisonment served									
Possessing Controlled Drug	Refused	Refused	Refused	Refused	8	6	4	2	0	0
Possessing Controlled Drug with Intent to Supply	Refused	Refused	Refused	Refused	Refused	Refused	8	6	4	2
Producing Controlled Drug	Refused	Refused	Refused	Refused	8	6	4	2	0	0
Import Drugs	Refused	Refused	Refused	Refused	Refused	Refused	8	6	4	2

Table 3 - Violence

Date Since Conviction Received	12mth ago	24mth ago	36mth ago	48mth ago	60mth ago	72mth ago	84mth ago	96mth ago	108mth ago	120mth ago
	1yr	2yrs	3yrs	4yrs	5yrs	6yrs	7yrs	8yrs	9yrs	10yrs
Type of Offence	Points	Points	Points	Points	Points	Points	Points	Points	Points	Points
Violence	Points are doubled if term of imprisonment served									
Common Assault	Refused	Refused	Refused	5	4	3	2	1	0	0
Assault - Section 47	Refused	Refused	Refused	5	4	3	2	1	0	0
Grievous Bodily Harm - Section 20	Refused	Refused	Refused	Refused	Refused	Refused	8	6	4	2
Grievous Bodily Harm - Section 18	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	8	6
Assault Police	Refused	Refused	Refused	6	5	4	3	2	1	0
Affray	Refused	Refused	Refused	5	4	3	2	1	0	0
Riot	Refused	Refused	Refused	Refused	8	6	4	2	0	0
Murder	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
Manslaughter	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
Manslaughter or Culpable Homicide while Driving	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
Using Threatening, Abusive Words or Behaviour	5	4	3	2	1	0	0	0	0	0
Breach of the Peace	3	2	1	0	0	0	0	0	0	0
Drunk and Disorderly	3	2	1	0	0	0	0	0	0	0
Common Assault - Aggravated	Refused	Refused	Refused	6	5	4	3	2	1	0
Obstruction	Refused	Refused	Refused	3	2	1	0	0	0	0
Robbery	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	8	6
Possess Offensive Weapon	Refused	Refused	Refused	5	4	3	2	1	0	0
Possess Firearm	Refused	Refused	Refused	5	4	3	2	1	0	0
Possess Firearm with intent	Refused	Refused	Refused	Refused	Refused	8	6	4	2	0
Criminal Damage	Refused	Refused	Refused	5	4	3	2	1	0	0
Violent Disorder	Refused	Refused	Refused	8	6	4	2	1	0	0
Resist Arrest	Refused	Refused	Refused	8	6	4	2	1	0	0
Arson	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused

Table 4 - Indecency

Date Since Conviction Received	12mth ago	24mth ago	36mth ago	48mth ago	60mth ago	72mth ago	84mth ago	96mth ago	108mth ago	120mth ago
	1yr	2yrs	3yrs	4yrs	5yrs	6yrs	7yrs	8yrs	9yrs	10yrs
Type of Offence	Points	Points	Points	Points	Points	Points	Points	Points	Points	Points
Indecency	Points are doubled if term of imprisonment served									
Indecent Exposure	Refused	Refused	Refused	Refused	Refused	Refused	Refused	8	6	4
Indecent Exposure to the Annoyance of Residents	Refused	Refused	Refused	Refused	Refused	Refused	Refused	8	6	4
Indecent Exposure with intent to insult a Female	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	8	6
Unlawful Sexual Intercourse	Refused	Refused	Refused	Refused	Refused	Refused	8	6	4	2
Importuning	Refused	Refused	Refused	Refused	Refused	Refused	Refused	8	6	4
Gross Indecency with a Female	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
Gross Indecency with a Male	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
Indecent Assault on a Female	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	8	6
Indecent Assault on a Child Under 16 yrs	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
Living Off Immoral Earnings	Refused	Refused	Refused	Refused	Refused	Refused	Refused	8	6	4
Prostitution	Refused	Refused	Refused	Refused	Refused	Refused	Refused	8	6	4
Possessing or Distributing Obscene Material	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	8	6
Buggery	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
Rape	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused	Refused
Indecent or Nuisance Telephone Calls	Refused	Refused	Refused	Refused	Refused	5	4	3	2	1

Appendix C - Offences covered under minor motoring convictions

- AC10 Failing to stop after an accident
- AC20 Failing to give particulars or report an accident within 24 hours.
- AC30 Undefined accident offence
- CU10 Using vehicle with defective brakes.
- CU20 Causing or likely to cause danger by reason of use of unsuitable vehicle or using a vehicle with parts or accessories (excluding brakes, steering or tyres) in a dangerous condition.
- CU30 Using a vehicle with defective tyres.
- CU40 Using a vehicle with defective steering.
- CU50 Causing or likely to cause danger by reason of load or passengers.
- CU60 Undefined failure to comply with Construction and Use Regulations.
- LC10 Driving without a licence.

MS10	Leaving a vehicle in a dangerous position.
MS20	Unlawful pillion riding.
MS30	Playstreet Offences.
MS40	Driving with uncorrected defective eyesight or refusing to submit to a test.
MS50	Motor racing on the highway.
MS60	Offences not covered by other codes.
MS70	Driving with uncorrected defective eyesight.
MS80	Refusing to submit to an eyesight test.
MW10	Contravention of Special Road Regulations (excluding speed limits).
PC10	Undefined Contravention of Pedestrian Crossing Regulations.
PC20	Contravention of Pedestrian Crossing Regulations with moving vehicle.
PC30	Contravention of Pedestrian Crossing Regulations with stationary vehicle.
PL10	Driving without 'L' plates.
PL20	Not accompanied by a qualified person.
PL30	Carrying a person not qualified.
PL40	Drawing an unauthorised trailer.
PL50	Undefined failure to comply with conditions of a Provisional Licence.
SP10	Exceeding goods vehicle speed limit.
SP20	Exceeding speed limit for type of vehicle (excluding goods or passenger vehicles).
SP30	Exceeding statutory speed limit on a public road
SP40	Exceeding passenger vehicle speed limit.
SP50	Exceeding speed limit on a motorway.
SP60	Undefined speed limit offence.
TS10	Failing to comply with traffic light signals.
TS20	Failing to comply with double white lines.
TS30	Failing to comply with a 'Stop' sign.
TS40	Failing to comply with direction of a constable or traffic warden.
TS50	Failing to comply with traffic sign (excluding 'Stop' sign, traffic lights or double white lines).
TS60	Failing to comply with school crossing patrol sign.
TS70	Undefined failure to comply with a traffic direction or sign.

Appendix D – Offences covered under major motoring convictions

CD10	Driving without due care and attention.
CD20	Driving without reasonable consideration for other road users.
CD30	Driving without due care and attention or without reasonable consideration for other road users.
IN10	Using a vehicle uninsured against third party risks.
BA10	Driving while disqualified by order of Court.
BA20	Driving while disqualified as under age.

Appendix E – Offences where a licence will automatically be refused or a current licence suspended or revoked

DD30	Reckless driving.
DD60	Manslaughter or culpable homicide while driving a vehicle.(see under violence)
DD70	Causing death by reckless driving.
UT10	Taking or driving away a vehicle without consent or an attempt thereat (see under dishonesty).
UT20	Stealing or attempting to steal a vehicle (see under dishonesty).
UT30	Going equipped for stealing or taking a vehicle (see under dishonesty).
UT40	Taking or attempting to take a vehicle without consent, driving or attempting to drive a vehicle knowing it to have been taken without consent, allowing oneself to be carried in or on a vehicle knowing it to have been taken without consent (see under dishonesty).

Appendix F - Offences for driving a motor vehicle under the influence of drink or drugs

DR10	Driving or attempting to drive with alcohol level above limit.
DR20	Driving or attempting to drive while unfit through drink or drugs.
DR30	Driving or attempting to drive then refusing to supply a specimen for analysis.
DR40	In charge of a vehicle while alcohol level above limit.
DR50	In charge of a vehicle while unfit through drink or drugs.
DR60	In charge of a vehicle then refusing to supply a specimen for analysis.
DR70	Failing to provide a specimen for breath test.

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