



Private Hire/Hackney Carriage Drivers Licence Application

Stafford Borough Council
Environmental and Health Services
Civic Centre, Riverside, Stafford
**Requirements for Hackney Carriage Drivers/
Private Hire Drivers Licences**

- 1 Must be 21 years of age or over.
- 2 Must have held a full licence for the class of vehicle for at least one year, which must be produced with the application.
- 3 Must provide one passport type photograph in colour.
- 4 All applicants to undergo a medical examination in accordance with the Council's regulations. The medical form will be given on receipt of the completed application form **and** on payment of the current fee of £87.00 You will also be required to take one passport photograph along with you to your appointment. There is no refund of the medical fee, if you fail the medical examination.
- 5 All applicants will be the subject of a Criminal Records Bureau check against him/herself which is undertaken by the Licensing Section. A fee of £36.00 will be charged upon application. There is no refund of this fee should the application be refused.
- 6 All applicants will have to pass a written and oral Knowledge Test prior to the application being approved. You will receive an Information pack about the test on receipt of your application and you will then be given a date to take the knowledge Test.
- 7 Current Licence Fees are available upon request.

Note: Applications are not accepted unless the applicant complies with all items above

All applicants must make an appointment with the Licensing Section (01785 619402) in order to submit the required documentation. Payments must be either made by cheque or postal order. These are to be made payable to Stafford Borough Council.

Stafford Borough Council

**Requisition for a Licence to Act as a Driver
of a Hackney Carriage Vehicle**

I, the undersigned, do hereby request the Stafford Borough Council to license me to act as the driver of any Hackney Carriage Vehicle licensed within the said Borough.

Full Name (BLOCK LETTERS) MR/MRS/MISS/MS

Address

Post Code Phone Number Date of Birth

I have held a full driving licence under the Road Traffic Acts permitting me to drive the class of vehicle in question foryear.

Have you at any time been convicted of any **motoring** or **criminal** offence including **formal cautions**? YES/NO

NB: Before completing this you should read the attached notice regarding the Rehabilitation of Offenders Act 1974.

If **YES** please state.

OFFENCE	SENTENCE	COURT	DATE

Have you any prosecutions or formal cautions pending against you? YES/NO

If **YES** please state:-

ALLEGED OFFENCE	DATE OF COURT HEARING

It will be my intention to work for the following Operator/Proprietor

Applicants are reminded that to make a false declaration or to omit any particulars for the purpose of obtaining a licence may make them liable to prosecution for a criminal offence.

In the event of a licence being granted to me, I undertake:-

- (a) To observe all Byelaws, Rules, Orders and Regulations for the time being in force;
- (b) To wear the badge provided by the Council in such a manner as to be plainly visible at all times when standing or plying for hire or driving.

I declare to the best of my knowledge and belief the answers given above are true and complete.

Signature of Applicant

Dated this day of 20

FOR OFFICE USE ONLY

Medical Fee Paid £ Receipt/Sheet No Dated

CRB Fee Paid £ Receipt/Sheet No Dated

CRB Ref No

Date Sent

Badge/Licence No

Fee Paid £ Receipt/Sheet No Dated

Stafford Borough Council

**Requisition for a Licence to Act as a Driver
of a Private Hire Vehicle**

I, the undersigned, do hereby request the Stafford Borough Council to license me to act as the driver of any Private Hire Vehicle licensed within the said Borough.

Full Name (BLOCK LETTERS) MR/MRS/MISS/MS

Address

Post Code Phone Number Date of Birth

I have held a full driving licence under the Road Traffic Acts permitting me to drive the class of vehicle in question foryear.

Have you at any time been convicted of any **motoring** or **criminal** offence including **formal cautions**? YES/NO

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CRB Ref No

Date Sent

Badge/Licence No

Fee Paid £ Receipt/Sheet No Dated

GUIDELINES RELATING TO THE RELEVANCE OF CONVICTIONS

GENERAL POLICY

- 1 Each case will be decided on its own merits.
- 2 A person with a current conviction for serious crime need not be permanently barred from obtaining a licence but should be expected to remain free of convictions for 3 to 5 years, according to the circumstances, before an application is entertained. Some discretion may be appropriate if the offence is isolated and there are mitigating circumstances. However, the overriding consideration should be the protection of the public.
- 3 The following examples afford a general guide on the action to be taken where convictions are admitted.

(a) **Minor Traffic Offences**

Convictions for minor traffic offences, eg obstruction, waiting in a restricted street, speeding etc, should not prevent a person from proceeding with an application. If sufficient points have been accrued to require a period of disqualification of the applicant's driving licence then a hackney carriage or private hire vehicle licence may be granted after its restoration but a warning should be issued as to future conduct.

(b) **Major Traffic Offences**

An isolated conviction for reckless driving or driving without due care and attention etc should normally merit a warning as to future driving and advice on the standard expected of hackney carriage and private hire vehicle drivers. More than one conviction for this type of offence within the last two years should merit refusal and no further application should be considered until a period of 1 to 3 years free from convictions has elapsed.

(c) **Drunkenness**

(i) With motor Vehicle

A serious view should be taken of convictions of driving or being in charge of a vehicle while under the influence of drink. An isolated incident should not necessarily debar an applicant but strict warnings should be given as to future behaviour. More than one conviction for these offences should raise grave doubts as to the applicant's fitness to hold a licence. At least 3 years should elapse (after the restoration of the driving licence) before an applicant is considered for a licence. If there is any suggestion that the

applicant is an alcoholic, a special medical examination should be arranged before the application is entertained. If the applicant is found to be an alcoholic a period of 5 years should elapse after treatment is complete before a further licence application is considered.

(ii) **Not in Motor Vehicle**

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 (see (i) above). In some cases, a warning may be sufficient.

(d) **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.

(e) **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. In either case if a licence is granted a strict warning as to future conduct, should be issued.

(f) **Violence**

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 or assault. At least 3 years free of such convictions should be shown before an application is entertained and even then a strict warning should be administered.

(g) **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 a 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.

ANNEXE B

When submitting an application for a licence to drive a hackney carriage or private hire vehicle you are requested to declare any convictions or cautions you may have, unless they are regarded as "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 licensing authority is empowered in law to check with the police for the existence and content of any criminal record held in the a name of an applicant. Information received from the police will be kept in strict confidence while 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 authority considers that the conviction renders you unsuitable. In making this decision the authority 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. Any applicant refused a driver's licence on the ground that he/she is not a fit and proper person to hold such a licence has a right of appeal to a Magistrates' Court.

If you would like to discuss what effect a conviction might have on your application you may telephone the Licensing Section (01785 619402) in confidence, for advice.

Please Note: Under certain circumstances some "spent" convictions may be considered by the appeals committee if it feels that justice cannot be done except by admitting them or requiring evidence of them (in accordance with section 7(3) of the Rehabilitation of Offenders Act 1974).

NOTICE REFERRED TO ON ATTACHED APPLICATION FORM

Under the Rehabilitation of Offenders Act, 1974, it is not necessary for you to reveal certain convictions, which have become "spent" under the terms of that Act.

A brief indication of the period after which a conviction will be treated as "spent" is set out below:-

Sentence	Rehabilitation Period
For a sentence of imprisonment or detention in a young offender institution (previously youth custody) between 6 months and 2½ years.	10 years
For a sentence of imprisonment or detention in a young offender institution (previously youth custody) of 6 months or less.	7 years
For a fine or other sentence (eg a compensation or community service order, or a probation order received on or after 3 February 1995) for which the Act does not specify a different rehabilitation period.	5 years
For an absolute discharge.	6 months

(All these periods, except the last one, are halved if the person convicted was under 18 at the time. If a person under 18 receives a probation order on or after 3 February 1995, the rehabilitation period is 2½ years of until the order expires, whichever is longer).

In the past there were sentences that could be imposed only on young people. The rehabilitation periods for the main sentences in the category are:

Borstal	7 years
Detention centre	3 years
An order for custody in a remand home or an approved school order.	A period ending 1 year after the order expires.

Some sentences carry variable rehabilitation periods. The main ones are as follows:

A probation order, received before 3 February 1995, conditional discharge or bind over.	One year, or until the order expires (whichever is longer).
A care order or supervision order.	One year, or until the order expires (whichever is longer).
An attendance centre order	A period ending one year after the order expires.
A hospital order (with or without a restriction order)	Five years, or a period ending two years after the order expires (whichever is longer)

If anyone is sentenced to more than 2½ years in prison his conviction can never become 'spent'. This applies to life sentences, preventive detention, and their equivalents for young offenders. It is sentence imposed by the court that counts, even if it is a suspended sentence, not the time actually spent in prison.

What About later convictions?

It depends what these are for. If it is one of the less serious offences which can only be tried in a magistrates' court (some more serious ones can be tried both by the Crown Court and by the magistrates) the first conviction becomes spent at the time originally fixed. The rehabilitation period for the second offence will then run for its normal length. But if the later conviction is for an offence which could be tried in the Crown Court (eg stealing) then neither conviction will become spent until the rehabilitation periods for both offences are over. And if the second conviction is so serious that it incurs a prison sentence of more than 2½ years then neither the second nor the first conviction will ever become spent. A later conviction affects the rehabilitation period for an earlier conviction only if it happens before the first period has run out.

The above is a very rough guide and it is recommended that, if you consider that you may be covered by the provisions of this Act, you seek legal advice before completing the form. In no circumstances should you omit convictions which are not "spent" under the terms of this Act. The omission of such convictions may render void any Licence granted to you and may lead to further penalties.