

# Wiltshire Council



## APPLICATION FOR A NEW LICENCE TO DRIVE A HACKNEY CARRIAGE AND/OR PRIVATE HIRE VEHICLE

**Note: Section 57(3) of the Local Government (Miscellaneous Provisions) Act 1976, provides that: 'If a person knowingly or recklessly makes a false statement or omits any material particular in giving information under this Section he shall be guilty of an offence' and liable on conviction to a fine not exceeding level 3 on the standard scale of maximum fines.**

Wiltshire Council is committed to safeguarding children, young people and adults and operates safer recruitment practices. The Council will take very seriously any caution, conviction or relevant intelligence that may indicate a child, young person or adult may be at risk of harm when considering whether to issue a licence.

Your personal information will be held and used in accordance with the requirements of the General Data Protection Regulation 2016. We may lawfully disclose information within this authority and to other public sector agencies such as the Police, or the Inland Revenue to (a) Prevent or detect fraud or other crime (b) Protect public funds (c) Make sure the information is accurate. Further information can be found on our website at: [www.wiltshire.gov.uk](http://www.wiltshire.gov.uk)

DBS information submitted to the Licensing Authority may be copied and shared with other departments within the Council. By signing this form, you are giving your written consent.

The licensing authority provides information to the National Register of Taxi Licence Refusals and Revocations (NR3), a mechanism for licensing authorities to share details of individuals who have had a hackney carriage and private hire vehicle (PHV) driver licence revoked, or an application for one refused. This is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the licensing authority – that is, assessing whether an individual is a fit and proper person to hold a hackney carriage and PHV drivers' licence.

Therefore:

- Where a hackney carriage and PHV drivers' licence is revoked, or an application for one refused, the authority will automatically record this decision on NR3.
- All applications for a new licence or licence renewal will automatically be checked on NR3. If a search of NR3 indicates a match with an applicant, the authority will seek further information about the entry on the register from the authority which recorded it.

Any information received as a result of an NR3 search will only be used in respect of the specific license application and will not be retained beyond the determination of that application.

The information recorded on NR3 itself will be limited to:

- name
- date of birth
- address and contact details
- national insurance number
- driving licence number
- decision taken
- date of decision
- date decision effective

Information will be retained on NR3 for a period of 25 years.

This is a mandatory part of the application process for renewal of a hackney carriage/private hire driver licence. Wiltshire Council has a published policy on the approach it will take to requests by other authorities for further information about entries on NR3, and about the use it will make of any further information provided to it. You can read the policy at the Wiltshire Council website [www.wiltshire.gov.uk/licences-permits-transport](http://www.wiltshire.gov.uk/licences-permits-transport)

Information will be processed in accordance with the Data Protection Act (DPA) and General Data Protection Regulation (GDPR). Any searches, provision or receipt of information of or under NR3 are necessary to the authority's statutory licensing functions of ensuring that all drivers are fit and proper to hold the applicable licence. It is not intended that any NR3 data will be transferred out of the United Kingdom.

If you wish to raise any issue related to the data protection legislation, including by relying on any of the rights afforded to data subjects under the GDPR, you can do so to the authority's Data Protection Officer at [dataprotection@wiltshire.gov.uk](mailto:dataprotection@wiltshire.gov.uk). This includes submitting a subject access request.

You always have the right to make a complaint to the Information Commissioner's Office (ICO). Advice on how to raise a concern about handling of data can be found on the ICO's website: <https://ico.org.uk/make-a-complaint/>

### PLEASE COMPLETE IN BLOCK LETTERS

Failure to complete any of these sections will render your application invalid and it will be returned to you

#### PERSONAL DETAILS

<b>Type of Licence you wish to apply for: (tick relevant box)</b>		Private Hire	Dual Licence
Surname:		Mr / Mrs / Miss / Ms / Other	
Forenames (in full):		Date of Birth:	
Current Address:			
Post Code:		Date moved to this address:	
Telephone No:		Mobile Tel No:	
Email Address:			
National Insurance No:			
DVLA Driving Licence No:		Issue No:	
Driving Licence valid from:		To:	
Place of Birth:		Country:	

#### EMPLOYMENT

To be completed by the proprietor of a Hackney Carriage/Private Hire Vehicle licensed by Wiltshire Council

Proprietor Name		Full Time or Part Time
Address:		
Declaration:	I will employ the person listed above to drive my licensed Hackney Carriage/Private Hire Vehicle if his/her application is successful. I will be responsible for ensuring they are correctly insured on the vehicle.	
Signature:		Date:

<b>Is driving a hackney carriage or private hire vehicle to be your only employment?</b>	<b>YES</b>	<b>NO</b>
If <b>NO</b> , please state the nature of your usual employment and the number of hours worked:		
<b>Have you ever lived outside of the United Kingdom?</b>	<b>YES</b>	<b>NO</b>
<b>If yes, when did you move to the United Kingdom?</b>	<b>MONTH</b>	<b>YEAR</b>
If yes, evidence of a criminal record check from the Country/Countries covering the relevant period will be required.		
<b>Do you hold or have you previously held any type of Private Hire/Hackney Carriage Licence issued by this or any other licensing authority?</b>	<b>YES</b>	<b>NO</b>
If <b>YES</b> , please state what type of licence, which Council, your licence number and the date(s):		
<b>Have you ever been refused or had such a licence suspended or revoked?</b>	<b>YES</b>	<b>NO</b>
If <b>YES</b> , please state which Council, the date(s):		
<b>Have you ever had any summons served on you for any offence(s) which has NOT been heard at Court?</b>	<b>YES</b>	<b>NO</b>
If <b>YES</b> , please provide details (use an additional sheet if needed):		
<b>Do you have any disability that would require assistance with completing your application?</b>	<b>YES</b>	<b>NO</b>
If <b>YES</b> please provide details (use an additional sheet if needed):		
<b>Do you have any condition that would prevent you from providing adequate assistance to disabled passengers in wheelchairs?</b>	<b>YES</b>	<b>NO</b>
<p>If <b>yes</b>, you will need to apply for a medical exemption form, this will need to be completed by your GP and returned to the Fleet Compliance Team for consideration. If satisfactory you will be issued with a medical exemption certificate that will need to be displayed in the licensed vehicle that you drive.</p> <p>All hackney carriage/private hire drivers of wheelchair accessible vehicles must comply with the requirements set out Under Section 165 of The Equality Act 2010. These requirements are outlined in Section <b>D7 &amp; D30</b> of the Wiltshire Council Hackney Carriage/Private Hire Drivers Guideline. If you do not have a copy, it can be downloaded from our website at: <a href="http://www.wiltshire.gov.uk/licences-permits-transport">http://www.wiltshire.gov.uk/licences-permits-transport</a>. The document can be found in the new driver Application Pack and is labelled Guidelines.</p> <p>Further details about requirements under Section 165 of the Equality Act 2010 can be found at: <a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/593350/access-for-wheelchair-users-taxis-and-private-hire-vehicles.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/593350/access-for-wheelchair-users-taxis-and-private-hire-vehicles.pdf</a>.</p> <p>If you are unsure whether you need to apply for an exemption, please discuss with a Fleet Compliance Officer at your first appointment with the Fleet Compliance Team.</p> <p><b>Please note:</b> A person who breaches the duties in Section 165 is liable on summary conviction to pay a fine not exceeding level three on the standard scale and the current maximum for this is £1,000. Any person that receives a conviction under Section 165 will have consideration made as to whether they remain a fit and proper person to hold a taxi or private hire driver licence.</p>		

## OFFENCES

All applicants **MUST** complete the following declaration in relation to **convictions, cautions, warnings, and reprimands**. The Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended) includes the occupation of 'taxi drivers' and allows the council to take all convictions, cautions, warnings and reprimands into account including those referred to as "spent" where it considers appropriate. The Council will take very seriously any caution, conviction or relevant intelligence that may indicate a child, young person or adult may be at risk of harm when considering whether to issue a licence. Applicants who have resided outside of the United Kingdom will be required to supply a certificate of good conduct from the country or countries where they have resided.

<b>Have you ever been convicted or cautioned for ANY criminal or motoring offence? Please provide details of ALL offences. (This includes Fixed Penalty Ticket Notices)</b>	<b>YES</b>	<b>NO</b>
<b>Have you ever been disqualified from driving?</b>	<b>YES</b>	<b>NO</b>
If the answer is <b>YES</b> to either of the above questions, please give full details of <b>ALL</b> convictions, cautions, warnings and reprimands and continue on a separate sheet if necessary. This includes all "spent" convictions and valid motoring matters. If the answer is <b>NO</b> , please state 'NONE' below.		
<b>Nature of Offence</b>	<b>Court/Police</b>	<b>Penalty</b>
<b>Have you any charges pending against you at the date of this application?</b>		
		<b>YES</b>
		<b>NO</b>
If your answer is <b>YES</b> , please give full details below.		
<b>Nature of Alleged Offence</b>	<b>Date of Court Hearing</b>	

### DECLARATION

please tick in the boxes on the left-hand side below to show you have read and understood the declaration

	In accordance with the provisions of the Town Police Clauses Act 1847 and Part II of the Local Government (Miscellaneous Provisions) Act 1976, or any re-enactment thereof, I hereby make application to the Wiltshire Council for a hackney carriage or private hire driver's licence.
	I hereby certify that the particulars contained on this, and previous page(s) are true and I acknowledge that if I have stated in this application anything which I know to be false, or I have omitted anything which I know to be material, any misrepresentation or omission may be taken into account when my application is considered and could make me liable to prosecution.
	If a licence is granted, I undertake to comply with the Guidelines relating to hackney carriage/private hire licences. A copy of the current guidelines can be found at: <a href="http://www.wiltshire.gov.uk/licences-permits-transport">www.wiltshire.gov.uk/licences-permits-transport</a> .
	I am aware that I am not allowed to drive a licensed hackney carriage or private hire vehicle until the requested driver's licence has been issued to me.
	I agree to take sufficient rest breaks when I am driving for hire. If I engage in other employment, I agree to partake of sufficient rest and refreshment after finishing work before commencing to drive for hire.
	I have read and understood the HMRC Tax Responsibilities sheet included in the new driver application pack and am aware of my tax obligations. I acknowledge that I will have to provide an online tax check code on subsequent renewal applications.

<b>Signature:</b>			
<b>Print Name:</b>			<b>Date:</b>
The fully completed application form and other documents required for step 1 of the process (see step 1 checklist in the step by step guide) should be emailed to:			
Email: <a href="mailto:fleet.licensing@wiltshire.gov.uk">fleet.licensing@wiltshire.gov.uk</a>			