

Driver application pack

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Licensing service operational changes

Important changes - private hire and hackney carriage driver and vehicle licences: updated on 16 June 2021

Public counter provisions - closed

Licensing service public counter and including licensing staff public counter at Kingsway depot is closed for day to day business permanently.

The Licensing Service can be contacted on **01582 546040** between 9am and 4.30pm, Monday to Friday or by emailing licensing@luton.gov.uk.

All applications are to be processed via electronic facilities and the council's online portals should be used.

We strongly advise that you continue to maintain your licences and take the appropriate time to submit your full, completed application form(s) online prior to the expiry of your existing licence to avoid being unlicensed and unnecessary concerns during this time.

All licences, plates and badges will be posted. Please ensure that applications are submitted to allow the appropriate time for these to be processed and posted prior to licences expiring.

Private hire and hackney carriage vehicle damage appointments

Due to the current changing situation with COVID-19, we have taken the decision to not carry out routine vehicle damage or vehicle repair checks at this time until further notice.

We advise you to continue to use the online service for reporting any damage on your licensed vehicle, following the usual procedures and within the conditional timescales on your licence as usual.

It may be required that we contact you for further images/pictures of your vehicle in these circumstances to ensure we can review the full extent of the damage and or repair to your vehicle.

Apologies for the inconvenience at this time.

Private hire and hackney carriage driver(s)

In order to submit an application for private hire and hackney carriage driver's licence, you will need to meet ALL supporting documentation required, this includes a DVLA Group 2 medical standards medical certificate completed by your GP.

Knowledge test bookings

Knowledge test bookings for Private Hire and Hackney Carriage knowledge Tests have now resumed face to face. The knowledge tests for **Hackney Carriage Airport** will be conducted remotely and applicants will need access to a computer (PC, tablet device) and be able to navigate the device to conduct a video call for security checks before the test and prior to being emailed the information to take the knowledge test.

DBS verification process

The Disclosure and Barring Service (DBS) process are relaxing requirements for an interim period in light of the changes due to coronavirus COVID-19, Applicants now do not need to go to the post

office to get documents verified. Documents can now just be scanned and sent direct to personnel checks. Personnel Checks will provide full guidance on this.

Driver application pack – Immigration Act 2016

Licensing Service
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George Street
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LU1 2BQ

T: 01582 54 6040
E: Licensing@luton.gov.uk
W: www.luton.gov.uk

1 July 2021

RE: Immigration Act 2016 - applications for private hire and hackney carriage driver and private hire operator licences.

Right to work in the UK check required

The UK Government has changed the law regarding private hire, hackney carriage driver's and private hire operator licences with effect from 1 December 2016. These changes will affect you if you either:

- apply for a driver's or operator's licence on or after 1 December 2016
- already hold a driver's or operator's licence and you apply for your licence on or after 1 December 2016

The legislation does not affect applications for vehicle licences.

This note explains what the changes mean, how they will affect you and what you need to do.

What do the changes mean?

The changes mean that, from 1 December 2016, the council as a licensing authority is under a new legal duty to ensure that driver and operator licences are only issued to applicants who have the right to licence in the UK.

In order to comply with this duty the council has to check that all applicants on or after 1 December 2016 have the right to work in the UK. By law this applies to everyone regardless of where they were born, how long they have lived in the UK and, if they already hold a driver or operator licence, how long they have held that licence.

How the changes will affect you

For applications received on or after 1 December 2016, you will be required to provide original and valid evidence of your right to work in the UK before your licence will be issued. Should you fail to do so, your licence will not be issued and will not be processed further. Please see below for further details as to what is required for you to evidence your right to work in the UK.

What you need to do

You will be required to provide your original valid documentation evidencing your right to work in the UK. This must be provided to the Licensing Service in order for your licence application to be determined.

Only certain forms of documentation are acceptable. For applicants who are British citizens, all they need to produce will be a British passport. For British citizens who do not have a British passport, there may be other documents that can be produced and accepted instead. Please contact the Licensing Service if further advice is required.

From 1 July 2021 we will no longer be able to accept EU passports or ID cards as valid proof of right to work, except for Irish citizens.

If you have been issued with leave to remain which is time restricted or have been issued with permanent leave by governing bodies, it was required that an application be submitted to the Home Office by 30 June 2021 for these entitlements to live and work in the UK to be transferred under the EU settlement scheme.

Further details regarding the [EU settlement scheme](#), requirements for applications and the criteria for late applications can be found on the Gov.UK website (go to www.gov.uk and search 'apply EU settlement scheme').

It may be possible, in certain circumstances, for the Licensing Service to carry out a 'right to work check' online. If so, you will be required to [provide a 'share code'](#). This share code can be obtained on the Gov.UK website (go to www.gov.uk and search 'prove right to work').

Once your documentation has been checked

If the documentation you provide demonstrates that you have a permanent right to work in the UK you **will not** be required to produce this on future applications.

In other cases, you will be required to provide your documentation when you next apply to continue your licence so that your documentation can be checked again, or this may be earlier if your right to work in the UK is limited to a shorter period.

Licensing Service
Luton Council
email:licensing@luton.gov.uk

Licensing Service

01582 546040

APPTG.doc

E Mail: licensing@luton.gov.uk

Driver application pack letter

Dear Applicant,

Thank you for enquiring about making an application to the Licensing Service. Below are details on the process of applying as well as documents that you will need to supply to support this. In order to submit a licence application you must be eligible to work in the United Kingdom and if requested be in a position to provide the original documentary evidence of this to the Licensing Service. If the right to work in the United Kingdom is removed then the Luton Council driver's licence and badge must be returned to the Licensing Service with immediate effect.

CHANGES FROM 4 APRIL 2022 – IMPORTANT

From 4 April 2022 requirements for licence applicants is changing. You will be required to complete a tax check online prior to submitting a licence application. Further details regarding this requirement can be found below. A licence application cannot be submitted or accepted by the Licensing Service until you have completed the required tax check online. Please note that the Licensing Service will not be able to view your personal tax information when the necessary checks are carried out.

You are required to apply to Personnel Checks to obtain a DBS Certificate (formally known as a CRB Disclosure) and a DVLA Driving Licence check prior to submitting a Licence application. **Personnel Checks** can be contacted on **01254 355669** or you can visit their [Luton Hackney Carriage/Private Hire Driver Licences webpage](#) on their website where you will be able to go through the process of obtaining a DBS Certificate and DVLA driving licence check. Once a DBS certificate and DVLA driving licence check has been received, you will be in a position to submit a licence application, providing all additional documentation is in the correct requested details.

Please note: from 1 October 2015 the law has changed and a private hire / hackney carriage driver licence will be issued as standard for a period of three years. If you wish to apply for a lesser licence period this request must be submitted in writing at time of application. In addition, following receipt of your licence application the authority may provide a licence for a lesser period if a specific issue is identified that requires this eg a medical issue.

Online applications – apply online

The Licensing Service has introduced online services for driver and vehicle applications solely for new and renewal applications.

It is now live which you can find on the council home page of the website and in the search box in the top right type 'vehicle driver licence applications' select the top option then you can select the correct licence type you are applying for.

We will be able to accept these online applications with scanned documents (including good images taken on a mobile phone) and with electronic payments. The online facility will work on mobile phones, tablets and PC's/laptops.

In order to process your application the Licensing Service will require the following documents:

- a Group 2 medical form - to be completed by your doctor and stamped with their surgery stamp(form enclosed)
- a completed DVLA driving licence check
- an enhanced DBS Certificate (formerly CRB disclosure) issued within the last three months
- a Knowledge Test pass certificate issued by Luton Council
- the **original** of your **DVLA driving licence in your full correct name**
- one passport sized photograph
- Tax Code for online check (If you have held a private hire or hackney carriage drivers licence in any authority in the last 12 months)
- Right to Work documents

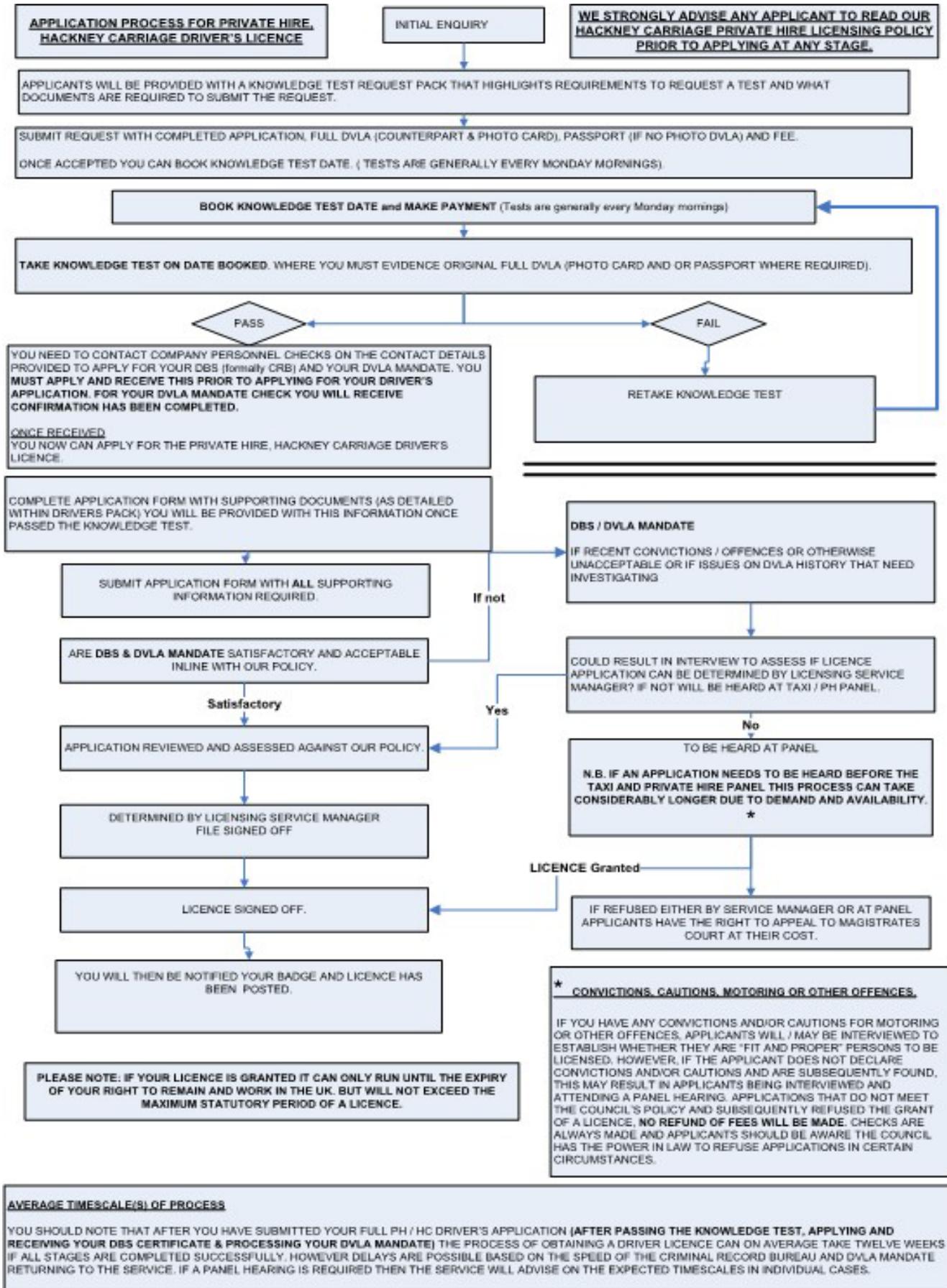
Please see the private hire and hackney carriage fee chart at the back of the application for the application fees. **Fees are correct at the time of producing this letter**

If you have any queries or concerns regarding this matter please do not hesitate to contact the Licensing Service on the above telephone number or email.

Yours faithfully,

Licensing Service

Application process for private hire, hackney carriage driver's licence diagram



Tax Changes from 4 April 2022

Changes for taxi, private hire or scrap metal licence applications from April 2022

What you need to do to meet new rules if you're applying for a taxi, private hire or scrap metal licence on or after 4 April 2022.

What's changing?

The rules are changing if you are an individual, company or any type of partnership applying for a licence for a:

- taxi (HC) driver
- private hire driver
- private hire vehicle operator (PH Operators)
- scrap metal site
- scrap metal collector

If you make an application on or after 4 April 2022 you will need to complete a tax check if you are:

- renewing a licence
- applying for the same type of licence you previously held, that ceased being valid less than a year ago
- applying for the same type of licence you already hold with another licensing authority

You must carry out the tax check yourself. You cannot ask a tax agent or adviser to do this on your behalf.

The tax check will ask questions about how you pay any tax that may be due on income you earn from your licensed trade.

After you have completed the tax check you will be given a 9-character tax check code.

You will need to give the code on your application to the licensing authority, so they can confirm you have carried out a tax check.

You will not be granted a licence if you do not give a tax check code to your licensing authority.

You will be able to complete a tax check **from 7 March 2022**.

What you will need

To carry out a tax check, you need a Government Gateway user ID and password. If you do not have a user ID, you can create one when you start the check.

You'll also need to know:

- when you first got your licence
- the length of your most recent licence
- how you pay tax on the income you earn from your licensed trade

You will not be able to complete the tax check if the information you give about your tax affairs does not match HMRC's records.

What you should do before April 2022

Get a Government Gateway user ID and password

You will need a Government Gateway user ID and password to complete a tax check, so you should make sure you have one before you need to make your licence application.

If you do not have a user ID, you can create one by [registering for HMRC online services](https://www.gov.uk/log-in-register-hmrc-online-services/register) (<https://www.gov.uk/log-in-register-hmrc-online-services/register>).

When a Tax Check is not required

You will not need to complete a tax check, and you should follow the [confirm your tax responsibilities guidance](https://www.gov.uk/guidance/confirm-your-tax-responsibilities-when-applying-for-a-taxi-private-hire-or-scrap-metal-licence) (<https://www.gov.uk/guidance/confirm-your-tax-responsibilities-when-applying-for-a-taxi-private-hire-or-scrap-metal-licence>), if you have:

- never held a licence of the same type before
- had a licence of the same type that ceased to be valid a year or more before making this application

Please ensure you review the below Gov.uk website addresses for HMRC guidance about tax registration obligations:

- PAYE information: www.gov.uk/income-tax/how-you-pay-income-tax
- registering for Self Assessment: www.gov.uk/register-for-self-assessment
- Corporation Tax information: www.gov.uk/corporation-tax

What a tax check is

A tax check confirms that you are registered for tax, if necessary.

After you complete the tax check you will be given a code. You must give it to the licensing authority with your licence application — they will not be able to process your application without it.

Tax check codes expire after 120 days, so if you make a licence application for another licence after that time you will need to carry out a new tax check for it.

If you are a partner making a licence application on behalf of a partnership you must complete a tax check for yourself. Your licensing authority will tell you if any other partners also need to complete a tax check.

Applying for more than one licence

You can use one tax check code for more than one licence application, as long as all the applications are for the same type of licence (for example, they are all for taxi driver licences but with different licensing authorities).

If you are applying for different types of licence (for example, a private hire driver licence and a private hire vehicle operator licence) you must complete a tax check for each one.

Please note that 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.

For office use only

Knowledge Test pass certificate

DVLA in current details

Two colour passport photos

Medical

DBS

DVLA driving licence check

MAU:

Licensing Service

Town Hall

Luton

LU1 2BQ

Tel: 01582 546040

Email: licensing@luton.gov.uk

Local Government (Miscellaneous Provisions) Act 1976

Application for Luton Council driver licence

April 2024

To be completed in block capitals in black ink

Licence applied for (please tick next to licence required):

Hackney carriage

Private hire

Private hire and hackney carriage

Hackney carriage airport

Private hire national airport

Private hire education

Personal details

Last name:

First name(s):

Address:

Postcode:

Date of birth:

Place of birth:

Home telephone:

Mobile telephone:

Email address:

National Insurance number:

Have you previously held a licence to drive a hackney carriage/private hire vehicle in Luton, or within any other authority? (If so, state licensing authority, date of expiry of last licence, if full or temporary licence and quote Badge Number for ALL licences held) Yes/No

If yes, give details of:

Licensing authority:

Expiry date:

Temporary/full:

Badge number:

Have you held a UK driver's licence (**not** a provisional licence) throughout the last twelve months? Yes/No

Do you suffer from any physical/mental disabilities? Yes/No

If yes, give details:

.....
.....
.....
.....

Do you suffer from any condition that requires regular medical attention? Yes/No

If yes, give details of: (eg heart complaint)

.....
.....
.....
.....

Please declare ALL cautions or convictions regardless of their date for:

a) Motoring offences? Yes/No

b) Non-motoring offences? Yes/No

If yes, give details:

Motoring offences

Court

Offence

Date

Fine/sentence

Non-motoring offences

Court

Offence

Date

Fine/sentence

Which operator are you intending to work for?

.....
.....

It is a criminal offence, for which you will be prosecuted, if you either:

- knowingly make a false statement or omit any information from this application
- drive a vehicle for hire without a licence to drive issued by the council

I declare that to the best of my knowledge and belief, the information submitted in support of this application is true and correct. I understand that if I knowingly or recklessly make a false statement

or omit any material particular, I shall be guilty of an offence. I undertake to inform Luton Council's Licensing Service manager immediately of any changes to the information I have provided whilst my application is being considered and should a licence be granted, during the period the licence is valid.

I hereby apply to Luton Council for a licence to drive a private hire and /or hackney carriage vehicle (as indicated in this application). If a licence is granted I undertake to comply with all statutory provisions, byelaws and conditions relating to the licence and accept that if I infringe or neglect to comply with any of these conditions subject to which the licence is held, the licence shall be liable to be suspended or revoked by the council. I declare that I have no convictions other than those set out herein.

Please note: your licence if granted can only run until the expiry of your rights to remain and work in the UK, but will not exceed the maximum statutory period of a licence.

We strongly advise you take the time to read our hackney carriage and private hire licensing policy prior to submitting any form of application. The policy can be found within the [Taxi and private hire licences webpage](#) on our website.

Signature Date

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

Signature Date

Data Protection Act 1984

This department now holds most of its records on a computer data base. The purpose of holding this information on computer is to enable us to provide a more efficient service. All the information held will be confidential and you are at liberty to view the details that specifically apply to you should you so wish.

Data protection information

Privacy notice

We take your privacy very seriously therefore we urge you to read Luton Council's privacy statements carefully because it contains important information about us and:

- The personal information we collect about you
- What we do with your information, and
- Who your information may be shared with

To view this privacy notice, please visit our [Privacy notice webpage](#).

National Register of Taxi Licence Revocations and Refusals (NR3)

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 driver or a private hire 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 or private hire driver licence.

Therefore:

- Where a hackney carriage / private hire driver 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 licence 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 applying for / being granted, a hackney carriage / private hire driver licence. The authority 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 [Hackney Carriage and Private Hire Licensing Policy](#) on our website.

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 feedback@luton.gov.uk or telephone 01582 546398.

You have the right to make a complaint to the Information Commissioner's Office (ICO). Advice on how to raise a concern about the handling of data can be found on the ICO's [Make a complaint webpage](#).

Application checklist

Before you submit your application, tick the following boxes to ensure you have completed all the necessary procedures and included all the necessary documents. The Licensing Service is unable to accept applications that are incomplete

Item	Applicant to tick	Office use only
Application form, fully completed and signed		
Current, original full United Kingdom DVLA Driving Licence, The Licence must state your current name and address.		
An enhanced DBS Certificate (formerly CRB Disclosure) issued within the last 3 months.		
Two recent identical colour passport sized photographs (no hats or sunglasses) taken against a white background		
You must provide evidence to support your entitlement to live and work in the UK.		
Licence fee which is payable by cheque (made payable to Luton Borough Council), cash or credit/debit card. (We do not accept American Express or Diners Club) Please note a service charge will be required for payments made by credit cards.		



1 Neurological disorders

Please tick ✓ the appropriate boxes

Is there a history or evidence of any neurological disorder (see conditions in questions 1 to 11 below)? Yes No

If No, go to section 2, Diabetes mellitus

If Yes, please answer all questions below and enclose relevant hospital notes.

1. Has the applicant had any form of seizure? Yes No
- (a) Has the applicant had more than one seizure episode? Yes No
- (b) If Yes, please give date of first and last episode.
- First episode
- Last episode
- (c) Is the applicant currently on anti-epileptic medication? Yes No
If Yes, please fill in the medication section 8, page 6.
- (d) If no longer treated, when did treatment end?
- (e) Has the applicant had a brain scan? Yes No
If Yes, please give details in section 9, page 7.
- (f) Has the applicant had an EEG? Yes No
If you have answered Yes to any of above, you must supply medical reports.
2. Has the applicant experienced dissociative/'non-epileptic' seizures? Yes No
- (a) If Yes, please give date of most recent episode.
- (b) If Yes, have any of these episode(s) occurred or are they considered likely to occur whilst driving? Yes No
3. Stroke or TIA? Yes No
If Yes, give date.
- (a) Has there been a full recovery? Yes No
- (b) Has a carotid ultrasound been undertaken? Yes No
- (c) If Yes, was the carotid artery stenosis >50% in either carotid artery? Yes No
- (d) Is there a history of multiple strokes/TIAs? Yes No
4. Sudden and disabling dizziness or vertigo within the last year with a liability to recur? Yes No
5. Subarachnoid haemorrhage (non-traumatic)? Yes No
6. Significant head injury within the last 10 years? Yes No
7. Any form of brain tumour? Yes No
8. Other intracranial pathology? Yes No
9. Chronic neurological disorder(s)? Yes No
10. Parkinson's disease? Yes No
11. Blackout, impaired consciousness or loss of awareness within the last 10 years? Yes No

2 Diabetes mellitus

Does the applicant have diabetes mellitus? Yes No

If No, go to section 3, Cardiac

If Yes, please answer all questions below.

1. Is the diabetes managed by: Yes No
- (a) Insulin? Yes No
If No, go to 1c
- If Yes, please give date started on insulin.
- (b) Are there at least 3 continuous months of blood glucose readings stored on a memory meter or meters? Yes No
If No, please give details in section 9, page 7.
- (c) Other injectable treatments? Yes No
- (d) A Sulphonylurea or a Glinide? Yes No
- (e) Oral hypoglycaemic agents and diet? Yes No
If Yes to any of (a) to (e), please fill in the medication section 8, page 6.
- (f) Diet only? Yes No
2. (a) Does the applicant test blood glucose at least twice every day? Yes No
- (b) Does the applicant test at times relevant to driving (no more than 2 hours before the start of the first journey and every 2 hours while driving)? Yes No
- (c) Does the applicant keep fast-acting carbohydrate within easy reach when driving? Yes No
- (d) Does the applicant have a clear understanding of diabetes and the necessary precautions for safe driving? Yes No
3. (a) Has the applicant ever had a hypoglycaemic episode? Yes No
- (b) If Yes, is there full awareness of hypoglycaemia? Yes No
4. Is there a history of hypoglycaemia in the last 12 months requiring the assistance of another person? Yes No
If Yes, please give details and dates below.
-
5. Is there evidence of: Yes No
- (a) Loss of visual field? Yes No
- (b) Severe peripheral neuropathy, sufficient to impair limb function for safe driving? Yes No
If Yes, please give details in section 9, page 7.
6. Has there been laser treatment or intra-vitreous treatment for retinopathy? Yes No
If Yes, please give most recent date of treatment.

Applicant's full name

Date of birth

3 Cardiac

a Coronary artery disease

Is there a history or evidence of coronary artery disease? Yes No

If No, go to section 3b, Cardiac arrhythmia

If Yes, please answer all questions below and enclose relevant hospital notes.

1. Has the applicant ever had an episode of angina? Yes No

If Yes, please give the date of the last known attack.

2. Acute coronary syndrome including myocardial infarction? Yes No

If Yes, please give date.

3. Coronary angioplasty (PCI)? Yes No

If Yes, please give date of most recent intervention.

4. Coronary artery bypass graft surgery? Yes No

If Yes, please give date.

5. If Yes to any of the above, are there any physical health problems or disabilities (e.g. mobility, arthritis or COPD) that would make the applicant unable to undertake 9 minutes of the standard Bruce Protocol ETT? Please give details below. Yes No

b Cardiac arrhythmia

Is there a history or evidence of cardiac arrhythmia? Yes No

If No, go to section 3c, Peripheral arterial disease

If Yes, please answer all questions below and enclose relevant hospital notes.

1. Has there been a significant disturbance of cardiac rhythm? (e.g. sinoatrial disease, significant atrio-ventricular conduction defect, atrial flutter or fibrillation, narrow or broad complex tachycardia) in the last 5 years? Yes No

2. Has the arrhythmia been controlled satisfactorily for at least 3 months? Yes No

3. Has an ICD (Implanted Cardiac Defibrillator) or biventricular pacemaker with defibrillator/ cardiac resynchronisation therapy defibrillator (CRT-D type) been implanted? Yes No

4. Has a pacemaker or a biventricular pacemaker/ cardiac resynchronisation therapy pacemaker (CRT-P type) been implanted? Yes No

If Yes:

(a) Please give date of implantation.

(b) Is the applicant free of the symptoms that caused the device to be fitted?

(c) Does the applicant attend a pacemaker clinic regularly?

Applicant's full name

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Date of birth

c Peripheral arterial disease (excluding Buerger's disease) aortic aneurysm/dissection

Is there a history or evidence of peripheral arterial disease (excluding Buerger's disease), aortic aneurysm or dissection? Yes No

If No, go to section 3d, Valvular/congenital heart disease

If Yes, please answer all questions below and enclose relevant hospital notes.

1. Peripheral arterial disease? (excluding Buerger's disease) Yes No

2. Does the applicant have claudication? Yes No

If Yes, would the applicant be able to undertake 9 minutes of the standard Bruce Protocol ETT?

3. Aortic aneurysm? Yes No

If Yes:

(a) Site of aneurysm: Thoracic
 Abdominal

(b) Has it been repaired successfully?

(c) Please provide latest transverse aortic diameter measurement and date obtained using measurement and date boxes.

cm

4. Dissection of the aorta repaired successfully? Yes No
 If Yes, please provide copies of all reports including those dealing with any surgical treatment.

5. Is there a history of Marfan's disease? Yes No
 If Yes, please provide relevant hospital notes.

d Valvular/congenital heart disease

Is there a history or evidence of valvular or congenital heart disease? Yes No

If No, go to section 3e, Cardiac other

If Yes, answer all questions below and provide relevant hospital notes.

1. Is there a history of congenital heart disease? Yes No

2. Is there a history of heart valve disease? Yes No

3. Is there a history of aortic stenosis? Yes No
 If Yes, please provide relevant reports (including echocardiogram).

4. Is there history of embolic stroke? Yes No

5. Does the applicant currently have significant symptoms? Yes No

6. Has there been any progression (either clinically or on scans etc) since the last licence application? Yes No

e Cardiac other

Is there a history or evidence of heart failure? Yes No
If No go to section 3f, Cardiac channelopathies
 If Yes, please answer all questions and enclose relevant hospital notes.

1. Please provide the NYHA class, if known.

2. Established cardiomyopathy? Yes No
 If Yes, please give details in section 9, page 7.

3. Has a left ventricular assist device (LVAD) or other cardiac assist device been implanted? Yes No

4. A heart or heart/lung transplant? Yes No

5. Untreated atrial myxoma? Yes No

f Cardiac channelopathies

Is there a history or evidence of the following conditions? Yes No
If No, go to section 3g, Blood pressure

1. Brugada syndrome? Yes No

2. Long QT syndrome? Yes No
 If Yes to either, please give details in section 9, page 7 and enclose relevant hospital notes.

g Blood pressure

All questions must be answered.
 If resting blood pressure is 180 mm/Hg systolic or more and/or 100mm/Hg diastolic or more, please take a further 2 readings at least 5 minutes apart and record the best of the 3 readings in the box provided.

1. Please record today's best resting blood pressure reading. /

2. Is the applicant on anti-hypertensive treatment? Yes No
 If Yes, please provide three previous readings with dates if available.
 /
 /
 /

3. Is there a history of malignant hypertension? Yes No
 If Yes, please give details in section 9, page 7 (including date of diagnosis and any treatment etc).

h Cardiac investigations

Have any cardiac investigations been undertaken or planned? Yes No
If No, go to section 4, Psychiatric illness
 If Yes, please answer questions 1 to 7.

1. Has a resting ECG been undertaken? Yes No
 If Yes, does it show:
 (a) pathological Q waves?
 (b) left bundle branch block?
 (c) right bundle branch block?
 If Yes to (a), (b) or (c), please provide a copy of the relevant ECG report or comment in section 9, page 7.

Note: If Yes to questions 2 to 6, please give dates in the boxes provided, give details in section 9, page 7 and provide relevant reports.

2. Has an exercise ECG been undertaken (or planned)? Yes No

3. Has an echocardiogram been undertaken (or planned)? Yes No

 (a) If undertaken, is or was the left ejection fraction greater than or equal to 40%?

4. Has a coronary angiogram been undertaken (or planned)? Yes No

5. Has a 24 hour ECG tape been undertaken (or planned)? Yes No

6. Has a loop recorder been implanted (or planned)? Yes No

7. Has a myocardial perfusion scan, stress echo study or cardiac MRI been undertaken (or planned)? Yes No

4 Psychiatric illness

Is there a history or evidence of psychiatric illness within the last 3 years? Yes No
If No, go to section 5, Substance misuse
 If Yes, please answer all questions below.

1. Significant psychiatric disorder within the past 6 months? If Yes, please confirm condition. Yes No

2. Psychosis or hypomania/mania within the past 12 months, including psychotic depression? Yes No

3. (a) Dementia or cognitive impairment? Yes No
 (b) Are there concerns which have resulted in ongoing investigations for such possible diagnoses?

5 Substance misuse

Is there a history of drug/alcohol misuse or dependence? Yes No
If No, go to section 6, Sleep disorders
 If Yes, please answer all questions below.

1. Is there a history of alcohol dependence in the past 6 years? Yes No

 (a) Is it controlled?
 (b) Has the applicant undergone an alcohol detoxification programme?
 If Yes, give date started:

2. Persistent alcohol misuse in the past 3 years? Yes No

 (a) Is it controlled?

3. Persistent misuse of drugs or other substances in the past 6 years? Yes No

 (a) If Yes, the type of substance misused?
 (b) Is it controlled?
 (c) Has the applicant undertaken an opiate treatment programme?
 If Yes, give date started

Applicant's full name

Date of birth

6 Sleep disorders

1. Is there a history or evidence of Obstructive Sleep Apnoea Syndrome or any other medical condition causing excessive sleepiness? Yes No

If No, go to section 7, Other medical conditions.

If Yes, please give diagnosis and answer all questions below.

- a) If Obstructive Sleep Apnoea Syndrome, please indicate the severity:

Mild (AHI <15)

Moderate (AHI 15 - 29)

Severe (AHI >29)

Not known

If another measurement other than AHI is used, it must be one that is recognised in clinical practice as equivalent to AHI. DVLA does not prescribe different measurements as this is a clinical issue. Please give details in section 9 page 7, Further details.

- b) Please answer questions (i) to (vi) for **all** sleep conditions.

(i) Date of diagnosis: Yes No

(ii) Is it controlled successfully?

(iii) If Yes, please state treatment.

(iv) Is applicant compliant with treatment? Yes No

(v) Please state period of control:

years months

(vi) Date of last review.

7 Other medical conditions

1. Is there a history or evidence of narcolepsy? Yes No

2. Is there currently any functional impairment that is likely to affect control of the vehicle? Yes No

3. Is there a history of bronchogenic carcinoma or other malignant tumour with a significant liability to metastasise cerebrally? Yes No

4. Is there any illness that may cause significant fatigue or cachexia that affects safe driving? Yes No

5. Is the applicant profoundly deaf? Yes No

If Yes, is the applicant able to communicate in the event of an emergency by speech Yes No
or by using a device, e.g. a textphone?

6. Does the applicant have a history of liver disease of any origin? Yes No

If Yes, is this the result of alcohol misuse?

If Yes, please give details in section 9, page 7.

7. Is there a history of renal failure? Yes No

If Yes, please give details in section 9, page 7.

8. Does the applicant have severe symptomatic respiratory disease causing chronic hypoxia? Yes No

9. Does any medication currently taken cause the applicant side effects that could affect safe driving? Yes No

If Yes, please fill in section 8, Medication and give symptoms in section 9, page 7.

10. Does the applicant have any other medical condition that could affect safe driving? Yes No

If Yes, please provide details in section 9, page 7.

8 Medication

Please provide details of all current medication including eye drops (continue on a separate sheet if necessary).

Medication	Dosage
Reason for taking:	
Approximate date started (if known): <input type="text"/>	

Medication	Dosage
Reason for taking:	
Approximate date started (if known): <input type="text"/>	

Medication	Dosage
Reason for taking:	
Approximate date started (if known): <input type="text"/>	

Medication	Dosage
Reason for taking:	
Approximate date started (if known): <input type="text"/>	

Medication	Dosage
Reason for taking:	
Approximate date started (if known): <input type="text"/>	

Applicant's full name

Date of birth

The applicant must complete this page

Applicant's declaration

You **must** fill in this section and **must not** alter it in any way.

Please read the following important information carefully then sign to confirm the statements below.

Important information about fitness to drive

As part of the investigation into your fitness to drive, we (DVLA) may require you to have a medical examination or some form of practical assessment. If we do, the people involved will need your medical details to carry out an appropriate assessment. These may include doctors, orthoptists at eye clinics or paramedical staff at a driving assessment centre. We will only release information relevant to the medical assessment of your fitness to drive. Also, where the circumstances of your case appear exceptional, the relevant medical information would need to be considered by one or more members of the Secretary of State's Honorary Medical Advisory Panels. Panel members must adhere strictly to the principle of confidentiality.

Declaration

I authorise my doctor and specialist to release reports and information about my condition which is relevant to my fitness to drive, to the Secretary of State's medical adviser.

I understand that the Secretary of State may disclose relevant medical information that is necessary to investigate my fitness to drive, to doctors, paramedical staff and panel members.

I declare that I have checked the details I have given on the enclosed questionnaire and that, to the best of my knowledge and belief, they are correct.

I understand that it is a criminal offence if I make a false declaration to obtain a driving licence and can lead to prosecution.

Name

Signature

Date

I authorise the Secretary of State to:

- | | Yes | No |
|--|--------------------------|--------------------------|
| inform my doctors about the outcome of my case | <input type="checkbox"/> | <input type="checkbox"/> |
| release reports to my doctor(s) | <input type="checkbox"/> | <input type="checkbox"/> |

Contact me about my application by:

- | | Yes | No |
|--------------------|--------------------------|--------------------------|
| email | <input type="checkbox"/> | <input type="checkbox"/> |
| SMS (text message) | <input type="checkbox"/> | <input type="checkbox"/> |

(Please note: DVLA will continue to contact you by post if you do not wish to be contacted by email or text.)

- | Checklist | Yes |
|--|--------------------------|
| • Have you signed and dated the declaration? | <input type="checkbox"/> |
| • Have you checked that the optician or doctor has filled in all parts of the report and all relevant hospital notes have been enclosed? | <input type="checkbox"/> |

Important

This report is valid for 4 months from the date the doctor, optician or optometrist signs it.

Please return it together with your application form.

Private hire and hackney carriage driver licensing application fees

Fees detailed below are valid from 01 April 2024 and are correct at the time of producing this letter.

Driver	Item	Licence application fee	Paper licence and badge fee	DBS Update Service	DVLA	CRB	Total
HC driver's fee three year badge	Grant	£405.00	£37.00	£21.00	£0	£0	£463.00
HC driver's fee three year badge	Renewal	£297.00	N/A	£21.00	£0	£0	£318.00
HC driver's fee two year badge	Grant	£278.00	£37.00	£14.00	£0	£0	£329.00
HC driver's fee two year badge	Renewal	£252.00	N/A	£14.00	£0	£0	£266.00
HC driver's fee one year badge	Grant	£232.00	£37.00	£7.00	£0	£0	£276.00
HC driver's fee one year badge	Renewal	£166.50	N/A	£7.00	£0	£0	£173.50
Dual driver's fee three year badge	Grant	£523.00	£37.00	£21.00	£0	£0	£581.00
Dual driver's fee three year badge	Renewal	£415.00	N/A	£21.00	£0	£0	£436.00
Dual driver's fee two year badge	Grant	£396.00	£37.00	£14.00	£0	£0	£447.00
Dual driver's fee two year badge	Renewal	£370.00	N/A	£14.00	£0	£0	£384.00
Dual driver's fee one year badge	Grant	£350.00	£37.00	£7.00	£0	£0	£394.00
Dual driver's fee one year badge	Renewal	£284.50	N/A	£7.00	£0	£0	£291.50
PH driver's fee three year badge	Grant	£405.00	£37.00	£21.00	£0	£0	£463.00
PH driver's fee three year badge	Renewal	£297.00	N/A	£21.00	£0	£0	£318.00
PH driver's fee two year badge	Grant	£278.00	£37.00	£14.00	£0	£0	£329.00
PH driver's fee two year badge	Renewal	£252.00	N/A	£14.00	£0	£0	£266.00
PH driver's fee one year badge	Grant	£232.00	£37.00	£7.00	£0	£0	£276.00
PH driver's fee one year badge	Renewal	£166.50	N/A	£7.00	£0	£0	£173.50
Request for a knowledge test							£106.00

Lanyard		£4.00
Badge holder		£4.00
DBS document checking		£15.00
DBS fee		£85.00
DVLA check fee		£20.00
DBS Update Service Fee		£7.00

Additional badges	Fee	Paper licence / badge fee	KT	DVLA	CRB	Total
Additional badge (at time of renewal)	£118.00	N/A	HC only (£106)	N/A	N/A	Variable
Additional badge (per unexpired month)	£23.50	Needed £37.00	HC only (£106)	Needed (£20.00) (If over three months)	Needed (If over three months)	Variable

Production of licenses and badges	Fee
Production of paper licence for PH/HC licence	£15.50
Production of paper licence and badge	£37.00
Production of badge only	£21.50
Admin charge – miscellaneous amendments	£70.00
Production of licence - per request / licence change of particulars (address, vehicle details etc, plus any other associated fees)	£49.50
Admin charge – Misc' amendments where a fee is not set	£70.00

Please note that once a Licence application has been accepted by the Licensing Service there will be **no refund** due if the Licence is not granted or the Licence application process is not completed.

Schedule

Standard conditions for a private hire driver's licence

- 1) The licensee shall not assign or in any way part with the benefit or the licence that is personal to him or her. Any change of name or address of the licensee must be notified to the licensing manager within seven days of the occurrence.
- 2) The licensee shall at the request of any authorised officer of the council or of any police constable produce for inspection this licence either forthwith or
 - a) in the case of a request by an authorised officer of the council, at the Town Hall, Luton, or such other place as may be specified, before the expiration of the period of seven days beginning with the day following that on which the request is made
 - b) in the case of a request by a police constable before the expiration of any such period and any such place as may be specified in writing for the purpose
- 3) The licensee shall, unless specifically exempted in writing by the council, whilst working as a private hire driver wear, in such a position and manner as to be plainly and distinctly visible, a driver's badge issued in accordance with the grant or renewal of this licence incorporating his or her photograph and badge number (the badge shall be provided by and remain the property of the council at all times).
- 4) The licensee shall pay a deposit to the council (as determined by the council) in respect of his or her private hire driver's badge which shall be held on his or her behalf by the council and shall be forfeited to the council in the event of the loss of the badge or of damage occurring to the badge which renders it unfit for use.
- 5) Where the council suspend, revoke or refuse to renew this licence the licensee shall on demand return the badge to the council.
- 6) The licensee shall not while driving or in charge of a private hire vehicle:-
 - a) tout or solicit on a road or other public place any person to hire or be carried for hire in any private hire vehicle; or
 - b) cause or procure any other person to tout or solicit on a road or other public place any person to hire or be carried for hire in any private hire vehicle; or
 - c) offer that vehicle for immediate hire whilst the vehicle is on a road or other public place; or
 - d) accept any offer for the immediate hire of that vehicle whilst the licensee of that vehicle is on a road or other public place except where such offer is first communicated to the licensee by a licensed operator by telephone or by radio or such other equipment fitted to that vehicle as may be specifically approved in writing by the council.
 - e) in this condition 'road includes any highway and any other road to which the public has access and includes bridges over which a road passes

- 7) The licensee shall not permit or cause or suffer to be conveyed in a private hire vehicle a greater number of persons from that specified in the licence issued in respect of that private hire vehicle.
- 8) The licensee shall not without reasonable cause, unnecessarily prolong, in distance or in time, a journey for which the private hire vehicle he or she is driving has been hired.
- 9) Condition 9 is made without prejudice to the provisions of Section 25 of the Road Traffic Act 1972.
 - a) If the licensee is not the proprietor of the private hire vehicle he or she is driving or is in charge of when the vehicle is involved in an accident he or she shall report or cause to be reported to the proprietor of that vehicle details of the accident in which the vehicle has been involved as soon as possible after the occurrence of the accident.
 - b) The licensee shall report to the council as soon as practicable, but in any event within 72 hours after the occurrence of the accident, any accident in which he or she is involved whilst driving or in charge of a private hire vehicle irrespective of the extent to which the vehicle is physically damaged.
- 10) The licensee shall, if any property is accidentally left in a private hire vehicle driven by him or her or by any person who may have been conveyed in the vehicle be found by or handed to him or her, carry it within 24 hours, if not sooner claimed by or on behalf of its owner, to the Luton Police Station, Buxton Road, Luton and leave it in the custody of the officer in charge of the office on his or her receiving a receipt for it.
- 11) The licensee must inform the council in writing within seven days of any motoring or other criminal conviction which has occurred since the grant or renewal of this licence.
- 12) When the licensee is driving a private hire vehicle equipped with a taximeter they shall
 - a) when the vehicle is not hired keep the taximeter locked in the position in which no fare is recorded on the face of the taximeter;
 - b) at the commencement of the journey when the vehicle is hired by distance bring the machinery of the taximeter into action so that the word 'hired' is legible on the face of the taximeter and keep the machinery of the taximeter in action until the termination of the hiring;
 - c) be entitled to demand and take for the hire of the vehicle by distance the rate of fare indicated in the statement displayed inside the vehicle in accordance with Condition 11 of the council's Standard Conditions for a Private Hire Vehicle Licence, provided always that the Licensee shall not take or demand a fare greater than that shown on the face of the taximeter;
 - d) ensure that during the time the vehicle is hired by distance the recording of the taximeter is plainly visible to any person travelling in the vehicle and is properly illuminated; and
 - e) not wilfully or negligently cause or suffer the letters or figures in the statement displayed inside the vehicle in accordance with Condition 11 of the council's Standard Conditions for a Private Hire Vehicle Licence to be concealed or rendered illegible at any time while the vehicle is hired

- 13) The licensee shall not tamper with or permit any person to tamper with the taximeter or the fittings thereof or seals affixed thereto with which any private hire vehicle in his or her charge is equipped
- 14) Medical conditions and certificates
 - a) The licensee shall notify the council within 72 hours of any medical condition that could affect the licensee's fitness to drive a private hire vehicle.
 - b) A medical certificate confirming the licensee's fitness to drive a private hire vehicle shall be produced within seven days of the request of the council for such certificate.
 - c) If the licensee has reached the age of 60 years he/she shall produce a medical certificate to the council on the renewal/grant of his/her licence each year.
- 15) The licensee when driving a private hire vehicle so constructed as to carry luggage shall carry a reasonable quantity of luggage in the vehicle if requested to do so by any person who has hired the vehicle and shall assist in stowage or removal of that luggage from the vehicle as the case may be
- 16) The licensee shall conduct himself or herself towards any person who has hired the private hire vehicle he or she is driving and any other person conveyed in such vehicle in an orderly, seemly and courteous manner and shall take all reasonable precautions for the safety of persons conveyed in such vehicle.
- 17) If the licensee has knowingly conveyed in a private hire vehicle a dead body of any person he/she shall immediately thereafter notify the facts to the council's licensing manager.
- 18) The licensee shall ensure that he/she is employed or otherwise engaged as a private hire driver by an operator who holds a current valid operator's licence.
- 19) The licensee must not attend at or near any premises in order to wait for passengers, this does not affect pre-booked passengers where there is an entry in a booking record, with a private hire operator licensed by the council, prior to the journey taking place.
- 20) The licensee must not sound their horns outside any premises where they have been sent for a fare, irrespective of the hours of the day.
- 21) The licensee must not use a mobile phone whilst the vehicle is in motion.
- 22) The licensee whilst working for a private hire operator must carry proof of a private hire insurance for that vehicle and must produce on demand to an authorised officer of the council or a police constable an appropriate insurance certificate or cover note
- 23) The licensee must on request provide copies of his/ her badge and licence for the licensed private hire operator, by whom they are employed and to provide further copies on renewal of their badge and licence
- 24) The licensee must carry on request any assistance animal such as a guide dog. no additional charge should be made for the assistance dog.
- 25) The council reserves the right to vary, delete or waive any of the foregoing conditions.

Convictions and Fitness policy

1. Introduction

1.1 The purpose of this policy is to provide guidance on the criteria used by the council when determining whether or not an applicant or an existing licence holder is a fit and proper person to hold a hackney carriage, private hire driver or operator licence ('a licence') and whether to exercise powers to refuse, revoke or suspend such a licence

1.2 The overriding aim of the council as licensing authority is to protect the safety of the public.

The council is concerned to ensure:

- a. that a person is a fit and proper person
- b. that the person does not pose a threat to the public
- c. that the public are safeguarded from dishonest persons, and
- d. the safeguarding of vulnerable persons, children and young persons

1.3 This policy provides guidance to any person with an interest in hackney carriage and private hire licensing. In particular, but not exclusively:

- a. applicants for drivers' and private hire operator licences,
- b. existing licensed drivers or private hire operators whose licences are reviewed,
- c. licensing officers,
- d. officer's with delegated powers,
- e. members of the Licensing Committee and the Taxi and Private Hire Licensing panel, and
- f. courts hearing appeals against local authority decisions.

Where licensing officers, or others, have delegated powers they will utilise these guidelines when making a decision in relation to a licence decision

1.4 Whilst licensing officers and Taxi and Private Hire Licensing panel ('the panel') will have regard to the guidelines in this policy, each case will be considered on its individual merits and, where the circumstances demand, the licensing officer / panel may depart from the same.

2. General Policy

2.1 There may be occasions where it is appropriate to depart from the guidelines.

- 2.2 A person who has been convicted of a serious offence need not automatically be barred from obtaining a licence, but would normally be expected to:
- a. Remain free of conviction for the appropriate period indicated in this policy and
 - b. Show adequate evidence that he / she is a fit and proper person to hold a licence (the onus is on the applicant to produce such evidence). Simply remaining free of conviction may not generally be regarded as adequate evidence that a person is a fit and proper person to hold a licence.
- 2.3 Where this policy requires an applicant to be free from conviction for any specified period, that period shall commence from either the date of sentence or the date of completion of a sentence, wherever date is the later. The same specified periods will apply to a suspended sentence of imprisonment, as apply to an immediate custodial sentence and community penalty orders.
- 2.4 Any reference in this policy to conviction for an offence also includes convictions for aiding and abetting, counselling or procuring that offence or an attempt or conspiracy to commit that offence and / or any offence which replaces that offence due to a change in law.

3. Appeals

- 3.1 Any applicant refused a licence on the grounds that the council is not satisfied that he or she is a fit and proper person to hold such a licence, or an existing licence holder, has had a licence suspended or revoked or had conditions attached to their licence, has a right to appeal to the Magistrates' Court within 21 days of the notice of refusal or the decision attaching conditions.

4. Powers

- 4.1 Sections 61 and 62, Local Government (Miscellaneous Provisions) Act 1976 ('the 1976 Act') allow the council to suspend, revoke or refuse to renew a licence if the applicant / licence holder has been convicted of a offence involving dishonesty, indecency, violence; failure to comply with the provisions of the Town Police Causes Act 1847 ('the 1847 Act'); failure to comply with the provisions of Part II of the 1976 act; or where there is any other reasonable cause.
- 4.2 The Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended), allows the council to take into account **all** convictions recorded against an applicant for, or the holder of, a private hire or hackney carriage driver's licence, whether they would otherwise be spent or not.

5. Consideration of disclosed criminal history

- 5.1 Under Sections 51, 55, and 59 of the 1976 Act, the council is required to ensure that an applicant for the grant or renewal of a hackney carriage and / or a private hire driver licence and / or private hire operator's licence is a 'fit and proper' person to hold such a licence.
- 5.2 If an applicant has been convicted of any offence, received warnings, cautions, reprimands, or has matters recorded against them where restorative justice has been used, has charges against them awaiting trial, is on bail before being charged or has been the subject of an anti-social behaviour order, the council will consider:

- a. How relevant the offence(s) are to the licence being applied for,
- b. How serious the offence(s) were,
- c. When the offence(s) were committed,
- d. The date of conviction,
- e. The sentence imposed by the court,
- f. The applicant's age at the time of conviction(s),
- g. Whether the conviction(s) form part of a pattern of offending,
- h. Any other character check considered reasonable (eg personal references), and
- i. Any other factors that might be relevant.

5.3 Where an applicant has made a false statement or a false declaration on their application for the grant or renewal of a licence, the licence will normally be refused.

5.4 The council may also consider evidence of an applicant's conduct even though the applicant has not been convicted of any offences, received a caution or a warning or been dealt with under restorative justice procedures, etc in relation to that conduct. Any decision regarding the conduct concerned will be based on the civil standard ie on the balance of probabilities.

6. Serious offences involving violence

6.1 A licence will not normally be granted where an individual has been convicted of an offence involving violence, unless free of conviction for five years, as determined in Section 2.3 above. However, given the range of the offences that involve violence, consideration must be given to the nature of the conviction.

6.2 Unless there are exceptional circumstances a licence will not normally be granted where an individual has been convicted of an offence of:

- a. Murder
- b. Manslaughter,
- c. Manslaughter of Culpable Homicide while driving, or
- d. Terrorism offences

6.3 A licence will not normally be granted where an individual has been convicted of an offence, unless free of conviction for 10 years, as determined in Section 2.3 above:

- a. Arson,
- b. Wounding or grievous bodily harm, S17 or S20 Offences Against the Person Act 1861,
- c. Actual Bodily Harm which is racially aggravated,

- d. Robbery,
- e. Possession of a fire arm,
- f. Riot,
- g. Any racially aggravated violent, or
- h. Violent disorder

6.4 A licence will not normally be granted where an individual has been convicted of any other racially aggravated offence (see Section 6.3 above) unless free from conviction for seven years, as determined in Section 2.3 above.

6.5 A licence will not normally be granted where the applicant has been convicted of an offence unless free from conviction for five years, as determined in Section 2.3 above:

- a. Common assault,
- b. Assault occasioning actual bodily harm,
- c. Affray,
- d. Section 5 Public Order Act 1986 offence (harassment, alarm or distress,)
- e. Section 4 Public Order Act 1986 offence (fear or provocation of violence),
- f. S4A Public Order Act 1986 offence (intentional harassment, alarm or distress),
- g. Assaulting a Police Officer,
- h. Resisting arrest, or
- i. Obstruction.

6.6 Under Section 6.5 above a licence will not normally be granted if an individual has been convicted of more than one offence of a violent nature in the last seven years, as determined in Section 2.3 above.

7. Possession of a weapon

7.1 A licence will not normally be granted where an individual has been convicted of an offence, unless free of conviction for 5 years, as determined in Section 23 above.

8. Sexual and indecency offences

8.1 Licensed drivers often carry unaccompanied and vulnerable passengers. An individual convicted of the more serious sexual offences will normally be refused.

8.2 Any individual on the Sex Offenders Register will normally be refused a licence.

- 8.3 A licence will not normally be granted where an individual has been convicted of more than one sexual or indecency offence.
- 8.4 Unless there are exceptional circumstances, an application will normally be refused where the applicant has been convicted of an offence such as:
- a. Rape,
 - b. Assault by penetration,
 - c. Offences involving children or vulnerable adults,
 - d. Sexual assault,
 - e. Possession of indecent photographs, child pornography etc,
 - f. Exploitation of prostitution, or
 - g. Trafficking for sexual exploitation.
- 8.5 A licence will not normally be granted where an individual has been convicted of an offence below, unless free of conviction for five years, as determined in Section 2.3 above:
- a. Indecent exposure,
 - b. Soliciting (eg kerb crawling), or
 - c. Any similar offences (including attempt or conspiracy to commit) or offences which replace the above.

9. Dishonesty

- 9.1 A licence will not normally be granted where an individual has been convicted of an offence **listed below**, unless free of conviction for five years, as determined in 2.3 above. Offences involving dishonesty include but are not limited to:
- a. Theft,
 - b. Burglary,
 - c. Fraud,
 - d. Benefit fraud,
 - e. Handling or receiving stolen goods,
 - f. Forgery,
 - g. Conspiracy to defraud,
 - h. Obtaining money or property by deception,
 - i. Other deception,

- j. Taking a vehicle without consent, or
- k. Perverting the course of justice.

10. Offences against property

10.1 A licence will not normally be granted where an individual has been convicted for offences against property unless free of conviction for three years, as determined in Section 2.3 above.

11. Drugs

11.1 A licence will not normally be granted where an individual has been convicted of an offence related to the supply or possession of drugs unless free of conviction for five years, as determined in Section 2.3 above.

11.2 A licence will not normally be granted where an individual has been convicted of more than one offence related to the supply or possession of drugs and has not been free of conviction for seven years, as determined in Section 2.3 above.

11.3 If there is evidence of persistent drug use, misuse or dependency a specialised medical examination (in accordance with DVLA Group 2 medical standards) will be required before the licence is granted.

12. Driving offences involving the loss of life

12.1 A licence will not normally be granted where an individual has been convicted of an offence listed below unless free of conviction for 10 years, as determined in Section 2.3 above.

13. Drink driving / driving under the influence of drugs

13.1 A licence will not normally be granted where an individual has been convicted of an offence related to drink driving or driving under the influence of drugs unless free of conviction for five years, as determined in Section 2.3 above.

13.2 More than one conviction for these offences raises significant doubts as to the applicant's fitness to drive the public. Where an applicant has been convicted of more than one such offence a licence will not normally be granted unless free of conviction for seven years, as determined in Section 2.3 above.

13.3 Medical evidence will also be required in accordance with paragraph 10.3 above where there is evidence of misuse or dependency.

14. Disqualification of DVLA license / totting up of points

14.1 A licence will not normally be granted where an individual has been disqualified from driving unless free of conviction for three years, as determined in Section 2.3 above.

14.2 If an existing licence holder accrues penalty points that result in a period of disqualification of the DVLA licence then the driver's Luton licence will be suspended and the matter referred to the Licensing Manager.

14.3 If an existing driver accrues 12 or more penalty points on their DVLA licence then the council will review the driver's suitability to remain a council licensed driver.

15. Motor vehicle Insurance offences

15.1 A licence will not normally be granted where an individual has been convicted for offences of insurance unless free of conviction for five years, as determined in Section 2.3 above.

16. Other motoring offences

16.1 The council considers all convictions for motoring offences as a serious matter in deciding whether a person is fit and proper to hold a licence or to continue to hold a licence. All drivers are expected to have no points on their DVLA licence.

16.2 An isolated conviction for a motoring offence may not normally mean a refusal of a licence, subject to the offences already mentioned in the policy; however, each case will be considered on its own merit.

16.3 Discretion may be exercised by the director of environment and regeneration to grant a licence where there are no more than nine penalty points.

16.4 A new applicant with points on their licence will normally be treated as follows:

- a. Up to and including six points over a period of three years, applicant should be free of conviction for 12 months and the licence will normally be granted, with an advice letter,
- b. Seven to nine points, over a period of three years, applicant should be free of conviction for 24 months and the licence will normally be granted, with a warning letter, or
- c. 10 points and above over a period of three years, application will normally be refused.

16.5 An existing Luton licensed driver who accrues DVLA points during the term of their licence will normally be treated as follows:

- a. A total of six points of DVLA, advice letter or be issued,
- b. Between seven and nine points on DVLA licence, warning letter to be issued, or
- c. 10 points and above, interview with Licensing Service and the licence reviewed.

16.6 In considering motoring convictions the type of offence for which the points were imposed will be considered in each case.

17. Outstanding charges or summonses

- 17.1 If the individual is subject of an outstanding charge or summons their application can continue to be processed, but the application will need to be reviewed either at the conclusion of any legal proceedings or at the end of the licensing process, whichever is earlier.
- 17.2 If the outstanding charge or summons involves a serious offence / or the individual's conviction history indicates a possible pattern of unlawful behaviour or character trait, then in the interests of public safety the application may be put on hold until proceedings are concluded or the licence may be refused.
- 17.3 Where information is received through the Notifiable Occupations Scheme on existing licence holders, then the council will take appropriate action depending upon the nature of the incident, the driver's past history and with consideration to Section 1.2 above.

18. Non-conviction information

- 18.1 If an individual has been arrested or charged, but not convicted, for a serious offence which suggests an individual could be a danger to the public, consideration should be given to refusing the application. The council will consider all available evidence and determine whether a licence should be granted.
- 18.2 Where information is received on existing licence holders, then the council will take appropriate action depending upon the nature of the incident, the driver's past history and with consideration to Section 1.2 above. The council may consider all available evidence and determine whether a licence should be granted.

19. Cautions

- 19.1 If an individual has received a caution a licence will not normally be granted until the applicant is free of conviction or caution, based on the time period for the category of offence referred to in this policy and as determined by Section 2.3 above.
- 19.2 An existing driver who receives a caution may have their licence reviewed and appropriate action taken by the council.

20. Licensing offences, breaches of legislation, conditions, bye law and complaints

- 20.1 The primary legislation for licensed drivers, vehicle owners and private hire operators is contained in the 1847 Act and the 1976 Act. Examples of these offences are contained in Appendix A.
- 20.2 A licence will not normally be granted where an individual has been convicted for offences under hackney carriage and private hire legislation unless free of conviction for two years, as determined in Section 2.3 above.
- 20.3 Licence holders are expected to comply with all relevant statutes, the council's bye-laws, appropriate licence conditions and the Highway Code at all times. Individuals who persistently breach these will be liable to have their licence reviewed to consider whether they are still a fit and proper person to hold a licence.

20.4 Individuals who are the subject of persistent complaints will be liable to have their licence reviewed to consider whether they are still a fit and proper person to hold a licence.

21. Other Offences

21.1 The council reserve the right to consider any other offences not specifically mentioned in this policy in deciding whether an applicant or existing licence holder is a fit and proper person.

22. Taxi and Private Hire Licensing panel

22.1 Cases may be referred to the panel for the to decide, where the delegated officer;

- a. Has prior to the completion of the Convictions and Fitness report, been involved in the case and this involvement could create a conflict of interest, or
- b. Wishes to depart from the Convictions and Fitness policy.

23. Summary

23.1 While it is possible that an applicant may have been convicted of a number of offences that individually meet the policy, the overall offending history must be considered when assessing an applicant's suitability to be licensed.

23.2 Some discretion can be afforded in a conviction for an offence is isolated and there are mitigating circumstances, but the overriding consideration is the protection of the public.

Appendix A

Town Police Clauses Act 1847

Local Government (Miscellaneous Provisions) Act 1976

Hackney carriage and private hire offences and penalties

Offences under the above legislation are set out below. Offences may also be committed under other legislation not listed below. Drivers and operators must comply with the legislation or they risk prosecution.

The maximum penalties and fine levels are as follows:

- **Level 1** - £200
- **Level 2** - £500
- **Level 3** - £1,000
- **Level 4** - £2,500

Town Police Clauses Act 1847

Section	Offence	Maximum penalty
40	Giving false information on application for hackney carriage licence.	Level 1
44	Failure to notify change of address of hackney carriage proprietor.	Level 1
45	Plying for hire without hackney carriage proprietor's licence.	Level 4
47	Driving a hackney carriage without hackney carriage driver's licence.	Level 3
47	Lending or parting with hackney carriage driver's licence.	Level 3
47	Hackney carriage proprietor employing unlicensed driver.	Level 3
48	Failure by hackney carriage proprietor to hold hackney carriage driver's licence.	Level 1
48	Failure by hackney carriage proprietor to produce hackney carriage driver's licence.	Level 1
52	Failure to display hackney carriage plate.	Level 1
53	Refusal to take a fare.	Level 2
54	Charging more than the agreed fare.	Level 1
55	Obtaining more than the legal fare.	Level 3 and 1 months imprisonment
56	Travelling less than the lawful distance for an agreed fare.	Level 1
57	Failing to wait after a deposit to wait has been paid.	Level 1
58	Charging more than the legal fare.	Level 3
59	Carrying other person than the hirer without consent.	Level 1
60	Driving hackney carriage without proprietor's consent.	Level 1

Section	Offence	Maximum penalty
60	Allowing another to drive hackney carriage without proprietor's consent.	Level 1
61	Drunken driving of hackney carriage.	Level 1
61	Wanton or furious driving leading to injury or danger.	Level 1
62	Driver leaving hackney carriage unattended.	Level 1
64	Hackney carriage driver obstructing other hackney carriages.	Level 1

Local Government (Miscellaneous Provision) Act 1976

Section	Offence	Maximum penalty
46(1)(a)	Using an unlicensed private hire vehicle.	Level 3
46(1)(b)	Driving a private hire vehicle without a private hire driver's licence.	Level 3
46(1)(c)	Proprietor of a private hire vehicle using an unlicensed driver.	Level 3
46(1)(d)	Operating a private hire vehicle without a private hire operator's licence.	Level 3
46(1)(e)	Operating a vehicle as a private hire vehicle when the vehicle is not licensed as a private hire vehicle.	Level 3
46(1)(e)	Operating a private hire vehicle when the driver is not licensed as a private hire driver.	Level 3
48(6)	Failure to display a private hire vehicle plate.	Level 3
49	Failure to notify transfer of a hackney carriage proprietors, or private hire vehicle, licence.	Level 3
50(1)	Failure to present hackney carriage or private hire vehicle for inspection as required.	Level 3
50(2)	Failure to inform the authority where the hackney carriage or private hire vehicle is stored, if requested.	Level 3
50(3)	Failure to report an accident to the authority.	Level 3
50(4)	Failure to produce the hackney carriage proprietor's, or private hire vehicle, licence and insurance certificate.	Level 3
53(3)	Failure to produce the hackney carriage or private hire driver's licence.	Level 3
54(2)	Failure to wear a private hire driver's badge.	Level 3
56(2)	Failure by a private hire operator to keep records of bookings.	Level 3
56(3)	Failure by a private hire operator to keep records of private hire vehicles operated by him.	Level 3
56(4)	Failure to produce a private hire operator's licence on request.	Level 3
57	Making a false statement or withholding information to obtain a hackney carriage, private hire driver or private hire operator licence.	Level 3

58(2)	Failure to return a plate after notice given following expiry, revocation or suspension of a hackney carriage proprietor's, or private hire vehicle, licence.	Level 3 + fine of £10/day
61(2)	Failure to surrender a driver's licence after suspension, revocation or refusal to renew.	Level 3
64	Permitting any vehicle other than a hackney carriage to wait on a hackney carriage stand.	Level 3
66	Charging more than the meter fare for a journey ending outside the district, without prior agreement.	Level 3
67	Charging more than the meter fare when hackney carriage used as private hire vehicle.	Level 3
69	Unnecessarily prolonging a journey.	Level 3
71	Interfering with a taximeter.	Level 3
73(1)(a)	Obstruction of an authorised officer or constable.	Level 3
73(1)(b)	Failure to comply with a requirement of an authorised officer or constable.	Level 3
73(1)(c)	Failure to give information or assistance to an authorised officer or constable.	Level 3

Borough of Luton

Byelaws

Made under Section 68 of the Town Police Clauses Act 1847 and Section 171 of the Public Health Act 1875 by the Mayor, Aldermen and Burgesses of the County Borough of Luton, acting by the council with respect to hackney carriages in the County Borough of Luton.

Interpretation

1. Throughout these byelaws 'the council' means the mayor, aldermen and burgesses of the County Borough of Luton, acting by the council and 'the district' means the County Borough of Luton.

Provisions regulating the manner in which the number of each hackney carriage, corresponding with the number of its licence, shall be displayed.

2. Every proprietor of a Hackney Carriage shall
 - (a) cause the number of the Licence granted to him in respect of the carriage to be legibly painted or marked on the outside and inside respectively of the carriage, or on plates affixed thereto,
 - (b) not wilfully or negligently cause or suffer any such number to be concealed from public view while the carriage is standing or plying for hire,
 - (c) not cause or permit the vehicle to ply for hire with any such plate so defaced that any figure or material particular is illegible.

Provisions regulating how hackney carriages are to be furnished or provided.

3. Every proprietor of a hackney carriage shall:
 - (a) provide sufficient means by which any person in the carriage may communicate with the driver
 - (b) cause the roof or covering to be kept water-tight
 - (c) provide any necessary windows and a means of opening and closing not less than one window on each side
 - (d) cause the seats to be properly cushioned or covered
 - (e) cause the floor to be provided with a proper carpet, mat, or other suitable covering
 - (f) cause the fittings and furniture generally to be kept in a clean condition, well maintained and in every way fit for public service

- (g) provide means for securing luggage if the carriage is so constructed as to carry luggage
 - (h) provide an efficient fire extinguisher which shall be carried in such a position as to be readily available for use
 - (i) provide at least two doors for the use of persons conveyed in such carriage and a separate means of ingress and egress for the driver
4. Every proprietor of a hackney carriage shall cause the carriage to be provided with a taximeter so constructed, attached and maintained as to comply with the following requirements, that is to say,
- (i) the taximeter shall be fitted with a key, flag or other device the turning of which will bring the machinery of the taximeter into action and cause the word 'hired' to appear on the face of the taximeter
 - (ii) such key, flag or other device shall be capable of being locked in such a position that the machinery of the taximeter is not in action and that no fare is recorded on the face of the taximeter
 - (iii) when the machinery of the taximeter is in action there shall be recorded on the face of the taximeter in figures clearly legible and free from ambiguity a fare not exceeding the rate or fare which the proprietor or driver is entitled to demand and take for the hire of the carriage by distance in pursuance of the byelaw in that behalf
 - (iv) the word 'fare' shall be printed on the face of the taximeter in plain letters so as clearly to apply to the fare recorded thereon
 - (v) the taximeter shall be so placed that all letters and figures on the face thereof may be at all times plainly visible to any person being conveyed in the carriage, and for that purpose the letters and figures shall be suitably illuminated during any period of hiring,
 - (vi) the taximeter and all the fittings thereof shall be so affixed to the carriage with seals or other appliances that it shall not be practicable for any person to tamper with them except by breaking, damaging or permanently displacing the seals or other appliances.

Provisions regulating the conduct of the proprietors and drivers of hackney carriages plying within the district in their several employments, and determining whether such drivers shall wear any and what badges.

5. Every driver of a hackney carriage provided with a taximeter shall:
- (a) when standing or plying for hire, keep the taximeter locked in the position in which no fare is recorded on the face of the taximeter
 - (b) as soon as the carriage is hired by distance, and before commencing the journey, bring the machinery of the taximeter into action by moving the key, flag or other

device fitted for the purpose so that the word 'hired' is legible on the face of the taximeter;

- (c) cause the dial of the taximeter to be kept properly illuminated throughout any part of a hiring which is during the hours of darkness as defined in Section 17 of the Road Transport Lighting Act 1957, and also at any other time at the request of the hirer.
6. A proprietor or driver of a hackney carriage shall not tamper with or permit any person to tamper with any taximeter with which the carriage is provided, with the fittings thereof, or with the seals affixed thereto.
7. Every driver of a hackney carriage for which stands are fixed by any byelaw in that behalf shall, when plying for hire in any street and not actually hired:
 - (a) proceed with reasonable speed to and station the carriage on one of such stands
 - (b) if a stand, at the time of his arrival, is occupied by the full number of carriages authorised to occupy it, proceed to another stand
 - (c) on arriving at a stand not already occupied by the full number of carriages authorised to occupy it, station the carriage immediately behind the carriage or carriages on the stand and so as to face in the same direction
 - (d) from time to time when any other carriage immediately in front is driven off or moved forward cause his carriage to be moved forward so as to fill the place previously occupied by the carriage driven off or moved forward
8. Every proprietor or driver of a hackney carriage who shall have an agreed or shall have been hired to be in attendance with the carriage at an appointed time and place shall, unless delayed or prevented by some sufficient cause, punctually attend with such carriage at such appointed time and place.
9. If a badge has been provided by the council and delivered to the driver of a hackney carriage, either with the licence granted to him by the council or afterwards, he shall, when standing, plying, or driving for hire, wear that badge in such a position and manner as to be plainly and distinctly visible.
10. Every driver of a hackney carriage so constructed as to carry luggage shall when requested by any person hiring or seeking to hire the carriage:
 - (a) convey a reasonable quantity of luggage
 - (b) afford reasonable assistance in loading and unloading
 - (c) afford reasonable assistance in removing it to or from the entrance of any house, station, or place at which he may take up or set down such person
11. Every driver of a hackney carriage
 - (a) shall conduct himself towards any person hiring or seeking to hire the carriage and any persons conveyed in such carriage in an orderly, seemly and courteous manner
 - (b) shall take all reasonable precautions for the safety of persons conveyed in such carriage

12. Every proprietor or driver of a hackney carriage who shall knowingly convey in the carriage the dead body of any person shall, immediately thereafter, notify the fact to the chief public health inspector of the council.

Provisions fixing the stands of hackney carriages.

13. Each of the several places specified in the following list shall be a stand for such number of hackney carriages as is specified in the list:-

Please note: a schedule of the current Stands is enclosed as a separate document.

14. The proprietor or driver of a hackney carriage shall be entitled to demand and take for the hire of the carriage the rate or fare prescribed by the following table, the rate or fare being calculated by distance unless the hirer express at the commencement of the hiring his desire to engage by time.

Provided always that where a hackney carriage furnished with a taximeter shall be hired by distance the proprietor or driver thereof shall not be entitled to demand and take a fare greater than that recorded on the face of the taximeter, save for any extra charges authorised by the following table which it may not be possible to record on the face of the taximeter.

Fares for distance

Please note: the current table of fares is enclosed as a separate document.

15. (1) Every proprietor of a hackney carriage plying for hire for which any fares are fixed by any byelaws in that behalf shall:
- (a) cause a statement of such fares to be painted or marked on the inside of the carriage, or on a plate affixed thereto, in clearly distinguishable letters and figures
 - (b) renew such letters and figures as often as is necessary to keep them clearly visible
- (2) The proprietor or driver of a hackney carriage bearing a statement of fares in accordance with this byelaw shall not wilfully or negligently cause or suffer the letters or figures in the statement to be concealed or rendered illegible at any time while the carriage is plying or being used for hire.

Provisions securing the safe custody and re-delivery of any property accidentally left in hackney carriages and fixing the charges to be made in respect thereof.

16. Every proprietor or driver of a hackney carriage shall, immediately after the termination of any hiring, carefully search the carriage for any property which may have been accidentally left therein.
17. Every proprietor or driver of a hackney carriage shall, if any property accidentally left therein by any person who may have been conveyed in the carriage be found by or handed to him,

- (1) carry it within twenty four hours, if not sooner claimed by or on behalf of its owner, to the Bedfordshire and Luton Police Office, Dunstable Place, Luton and leave it in the custody of the officer in charge of the office on his giving a receipt for it
- (2) be entitled to receive from any person to whom the property shall be re-delivered an amount equal to one shilling in the pound of its estimated value (or the fare for the distance from the place of finding to the Bedfordshire and Luton Police Office, Dunstable Place, Luton whichever the be the greater) but not more than five pounds.

Please note: the current address of the Police is Police Office, Bedfordshire Police, Buxton Road, Luton).

Penalties

18. Every person who shall offend against any of these byelaws shall be liable on summary conviction to a fine not exceeding twenty pounds and in the case of a continuing offence to a further fine not exceeding forty shillings for each day during which the offence continues after conviction therefor.

Please note: the maximum penalty for offences under these Byelaws is currently £400.

19. **Repeal of byelaws**

The byelaws relating to hackney carriages which were made by the mayor, alderman and burgesses of the Borough of Luton on the 28 November 1944, and which were confirmed by the Minister of Health on the 22 January 1945, are hereby repealed.

The **common seal** of the **mayor**)
alderman and burgess of the)
Borough of Luton was hereunto)
affixed on the twenty-eighth day of) June,
1949, in the presence of:)

Claude A. Sinfield

Mayor

W.H. Robinson

Town Clerk

I hereby confirm the foregoing byelaws and fix the date on which they shall come into effect as the 1 October 1949.

J. Chuter Ede,

One of Her Majesty's

Principal Secretaries of State