

Private Hire Car Driver – Guidance Notes

Private Hire

A private hire car driver's licence allows you to drive only private hire cars.

Applications

Each question on the form must be answered. If a question is irrelevant please mark it "not applicable" unless otherwise stated.

You are required to submit a valid driving licence entitling you to drive in the UK and 2 coloured passport photographs when lodging your driver application. Ensure that you write your full name on the reverse of the photos.

In addition, the documentation specified below must be enclosed with the application in relation to checks on previous convictions and entitlement to work.

You must complete the name and address of the private hire company which you intend to work for.

For renewal applications, licence holders are solely responsible for ensuring their renewal application form is lodged timeously, ideally around 6 weeks prior to the expiry date of the licence. Failure to lodge the renewal before the expiry date of the current licence may result in the licence lapsing.

Checks on Entitlement to Work

Every person applying for grant or renewal of a taxi driver's licence or private hire car driver's licence requires to comply with the terms of new Immigration legislation from 1st December 2016. You must provide acceptable documents with your application, when you first apply after that date, to prove that you are not disqualified from obtaining a licence. The Council cannot grant you a licence in the absence of these documents. These checks will apply to all drivers, irrespective of their nationality, ethnic or national origin or length of time living in the UK (or length of experience in the taxi or private hire trades).

For those with limited permission to be in the UK, these checks will be required at each subsequent application until the driver can demonstrate an indefinite entitlement to remain and work. If you have limited right to remain, any licence can only be issued to you till the end of that period.

You will have to make an appointment to make your application and you must attend in person to enable the correctness of your documents to be checked. Original documents must be produced for inspection. Copies of the documents you bring will be retained by the Council. The Council may also carry out checks with the Home Office.

The documents produced must be those shown in the lists below. List A shows documents suitable for those with indefinite right to remain. List B shows suitable documents for those with restricted right to remain. We will not accept a new application unless the correct documentation is produced.

List A

No restrictions on right to work in the UK. Once the Council has undertaken the necessary check once and retained the copy, the Council may not have to repeat the check when you subsequently apply to renew or extend your licence.

1. A passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK.
2. A passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
3. A Registration Certificate or Document Certifying Permanent Residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
4. A Permanent Residence Card issued by the Home Office to the family member of a national a European Economic Area country or Switzerland.
5. A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
6. A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
7. A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **together with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
8. A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents (including an official extract of an entry in the register of births in Scotland in long form), **together with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
9. A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland, **together with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
10. A certificate of registration or naturalisation as a British citizen, **together with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

List B

Restrictions on right to work in the UK. The Council may issue the licence (subject to statutory limitations) up to the expiry date of the permission to work in the UK. The Council will need to check immigration status each time you apply to renew or extend your licence.

1. A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to do the type of work in question.
2. A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to do the work in question.
3. A **current** Residence Card (including an Accession Residence Card or a Derivative Residence Card) issued by the Home Office to a non-European Economic Area national who is a family member of a national of a European Economic Area country or Switzerland or who has a derivative right of residence.
4. A current Immigration Status Document containing a photograph issued by the Home Office to the holder with a valid endorsement indicating that the named person may stay in the UK, and is allowed to do the type of work in question, **together with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
5. A Certificate of Application issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a family member of a national of a European Economic Area country or Switzerland stating that the holder is permitted to take employment which is **less than 6 months** old **together with Verification** from the Home Office Evidence and Enquiry Unit. The licence may be granted for six months from the date of the Certificate of Application.
6. A **Verification** issued by the Home Office Evidence and Enquiry Unit to you, which indicates that the named person may stay in the UK and work because they have an in time application, appeal or administrative review and which is outstanding. The licence may be issued for six months from the date of the licence decision.

Checks on Previous Convictions

For applicants seeking a new licence, and who were born or have been resident outside the UK for 6 months or more, there must be produced with the application form documentation in relation to criminal record checks.

Applicants need to provide:

- If the applicant was born outwith the United Kingdom, a criminal record check must be provided from his or her country of origin. Applicants must also provide a criminal record check from any other country in which they have been resident for six months or more.
- If the applicant was born in the United Kingdom, but has lived in any other country or countries for six months or more, they must provide a criminal record check from those countries.

In all cases, the criminal record checks provided must have been obtained within the six months prior to submitting the application and must be verified by the relevant UK-based Embassy/High Commission where obtained from authorities outwith the United Kingdom.

Prior Refusal

If you have applied for and been refused a licence for a private hire car driver's licence by Renfrewshire Council then, unless there has been a material change in circumstances, you cannot apply for the same kind of licence within one year of the date of refusal.

Application Fees

Payment is due at the time of lodging. For application fees please refer to the civic licensing application fees which can be access at www.renfrewshire.gov.uk.

No refund of application fees will be made for applications which are subsequently refused or withdrawn.

Driving Licence

Applicants for a driver's badge must be at least 21 years old.

Applications must be submitted along with your original driving licence which will be checked and returned to you at the time of lodging your application. An application cannot be accepted for processing unless you have held a licence entitling you to drive in the UK for a continuous period of 12 months immediately prior to making your application. For holders of the new style driving licence, both the photocard and the counterpart must be produced.

Your driving licence must show your current home address before any application can be accepted.

Processing your application

When your application is lodged and the appropriate fee has been paid, a copy of your application will be sent to Police Scotland. They will carry out their own investigations and report back to the licensing office.

The legislation allows for consideration of the application within three months and a decision within nine months.

If an objection or representation is received in relation to your application you will be sent a copy of the letter. Your application and letter of objection or representation will then be referred to a Regulatory Functions Board meeting. You will be called to a hearing before the Board and given the opportunity of addressing the Board.

Right of Appeal

If your application is refused, or granted conditionally, you are entitled to ask the Council within 21 days to give reasons for such refusal, or the imposition of such conditions, and thereafter you are entitled to appeal to the Sheriff against the decision on certain grounds.

If there is an objection to your application and the application is subsequently granted the objector can also ask the Council to give reasons for such grant and thereafter are entitled to appeal to the Sheriff also.

You may wish to seek independent legal advice in relation to any appeal.

Conditions of Licence

A copy of Renfrewshire Council's licence conditions for drivers will be issued to you in the event that your licence is granted. The Council requires all licence holders to have a thorough understanding of these conditions and they must be retained as they form part of your licence.

Duration of Licence

Applications for the grant of a licence are generally granted for a period of one year, whilst applications to renew an existing licence are normally granted for a two year period.

Issue of Licence

Once you are in receipt of your licence you must ensure that it is not altered, erased or defaced in any way. It should be kept clean and legible and must not be lent to or used by any other person. Should the licence be lost or become defaced or illegible you must obtain a replacement from Renfrewshire Council on payment of the appropriate fee.

Any Further Questions

Should you have a query that is not covered in these guidance notes please feel free to contact the Civic Licensing Standards Officers by email at enforcement.licensing@renfrewshire.gov.uk for further information or advice

Contact Details

Tel: 0300 300 0300

Email: customerservice.licensing@renfrewshire.gov.uk

Website: www.renfrewshire.gov.uk

**Conditions relating to
Private Hire Car Driver's Licences**

**Licensing conditions
Last updated in 01 April 2019.**

These conditions replace any previous conditions.

Conditions

Private Hire Car Driver Conditions

1. When you are using your vehicle for private hire, you must display your private-hire driver's licence issued (or other identification issued by us) in a prominent position in the vehicle so passengers can see it. You must also show your private-hire car driver's licence or other identification to any passenger, police officer or authorised officer of the Council who ask to see it. Any identification we give you will include your name, a recent photograph of you and the date your licence runs out.
2. If you accept a fare, you must provide the service (or arrange for the service to be provided) at the agreed time and location unless you are prevented from doing so by a good cause. You must accept all fares unless you have a good reason not to.
3. While you are carrying a passenger or passengers, you must never pick up or carry another passenger without permission from all the passengers who are already in the vehicle.
4. You must never carry more passengers than your vehicle is licensed to carry.
5. For any fare, you must travel to the final destination by the shortest route possible, unless the passenger tells you to take or avoid a particular route. If passengers you are carrying at the same time but for separate fares are being picked up from or taken to different destinations, you must take the shortest route possible to serve all the passengers.
6. If the cost of a journey is not regulated by our fare structure, before the journey starts you must tell the passenger (or the person hiring you if not the passenger) before the journey:
 - that the fare is not regulated; and
 - the cost of the proposed journey or the way the cost is calculated.
7. If you have a meter fitted in your vehicle, you must use it at all times in the licensed area and in line with the requirements set by us.
8. At least once a day you must inspect the seals on the meter to make sure they are not damaged. If you discover that any seal is broken or damaged, or that the meter has stopped working correctly, you must immediately stop using the vehicle for private hire.
9. You do not have to carry any passenger:
 - who is drunk or otherwise not in a fit state to be carried;
 - whose condition or clothing is offensive or likely to damage the inside of your vehicle;
 - who is with any animal (other than a guide dog, hearing dog or assistance dog) which is likely to damage or dirty the inside of your vehicle; or
 - for any other good reason.

10. You must not refuse to carry any luggage that can be carried safely in the boot or luggage compartment of your vehicle.
11. You must not smoke within the private hire car nor allow any passenger to smoke.
12. You must help to load and unload a passenger's luggage when necessary, but you do not need to move far from your vehicle to do so.
13. If you are carrying a disabled person travelling with their guide dog, hearing dog or assistance dog, unless you have a 'notice of exemption' issued under regulation 5 of the Private Hire Car Drivers' Licences (Carrying of Guide Dogs and Hearing Dogs) (Scotland) Regulations 2004, you must:
 - carry the dog;
 - allow it to stay with the disabled person; and
 - not make an extra charge for carrying the dog.
14. When you finish work (either for the day or for a break), you must search your vehicle to see if any property has been left in it. If you find any property you must, within 24 hours, return it to the owner (if you know who that is) or to any police station.
15. While you are carrying a passenger, you must keep to our current dress code and behave in a proper and polite way.
16. You must not knowingly allow your vehicle to:
 - be used for illegal or immoral purposes;
 - carry any dirty, poisonous, explosive, dangerous or unpleasant item; or
 - carry any person who has vermin (such as rats) with him or her.
17. You must make sure your vehicle, including all bodywork, upholstery and fittings, is in good condition and, depending on road and weather conditions, is clean.
18. If you change your address or place of business, within 14 days of the change you must give us written notice. You must also take your licence to the Head of Legal Services of Renfrewshire Council so the change of details can be noted on it.
19. You must be at least 21 to get a licence. All drivers with a medical condition capable of affecting their ability to drive shall immediately disclose this condition to the Council and may be called upon to produce a medical certificate to confirm whether their doctor is aware of any medical condition which could render them unfit to drive a private hire car.
20. If you stop working as a private-hire car driver while your licence is still in force, or if your licence has run out, within three months you must tell us about this and return your licence and driver's identification to the Head of Legal Services of Renfrewshire Council.
21. While you are in charge of your vehicle you must not:
 - try to pick up fares other than those already booked; or
 - do anything to make people think your vehicle is available for hire for a journey starting there and then.
22. Should your DVLA driving licence fall to be renewed during the period of this licence, you require to exhibit evidence to the Council, within 14 days of expiry of your DVLA licence renewal date, that you have obtained a new driving licence from DVLA to cover the duration of your private hire car driver's licence.

