



Knowsley Council

Knowsley Metropolitan Borough Council

Directorate of Corporate Resources

Environmental Health and Consumer Protection Service

Policy for the licensing of hackney carriage and private hire drivers

Introduction

Knowsley Council is committed to equality of opportunity for individuals from all groups and must comply with legislation on sex, race and disability. The Council will work to prevent discrimination and prejudice and create equality of opportunity both in its role as a major employer and in the provision of services. Applications for licences are welcomed from all members of the community regardless of their gender, race, ethnic origin, disability, age, sexual orientation, nationality, religion, belief or any other individual characteristics which may impact upon a person's opportunities in life.

This policy has been produced in accordance with the powers contained within the Local Government (Miscellaneous Provisions) Act 1976 and the Town Police Clauses Act 1847 and taking account of the Department for Transport best practice guidance relating to hackney carriage and private hire drivers.

Purpose of policy

The purpose of this policy is to explain how the Council will carry out its licensing functions in relation to both new and existing hackney carriage and private hire drivers, and to outline the Council's criteria and standards and how to make an application.

Under the provisions of the Local Government (Miscellaneous Provisions) Act 1976 a Local Authority shall not grant a licence to drive a hackney carriage or private hire vehicle;

- (a) unless they are satisfied that the applicant is a fit and proper person to hold a drivers licence or;
- (b) to any person who has not for at least 12 months been authorised to drive a motor car, or is not at the date of application for a driver's licence so authorised. .

Hackney carriage and private hire drivers must be 'fit and proper' persons to hold a licence as the Council's main consideration when determining applications is the protection and safety of the

public. Licensed drivers hold a position of responsibility as they come into regular close contact with adults, children and vulnerable people. Prior to issuing a licence the Council must be satisfied that an applicant is 'fit and proper'. Furthermore, existing drivers must act in such a way as to satisfy the Council that they continue to be 'fit and proper' to hold a licence

In determining whether an applicant is 'fit and proper' the Council will consider, amongst other things, an applicant's criminal and driving records, medical fitness, relevant skills, knowledge, experience, qualifications, and previous history as a licence holder (if applicable).

Appendix 1 of this policy provides applicants and existing drivers with guidelines relating to;

- (a) the application process;
- (b) the criteria to be met in order to be licensed as a driver;
- (c) types of offences that will be taken into consideration when considering applications;
- (d) the criteria for applicants who hold European Community or European Economic Area driving licences relating to obtaining a certificate of good conduct;
- (e) the training required and;
- (f) the Council's medical standards.

The disclosure of a criminal record or other relevant information may not prevent you from gaining a licence unless the Council considers that the information makes you unsuitable. In making this decision the Council will consider the nature of an offence, when it was committed, the sentence imposed, your age when an offence was committed, your overall record of offences and any other relevant factors.

Licence conditions

All licences granted are subject to a number of standard conditions which must be complied with. Further conditions can be added to licences (or existing ones modified or waived) if it is considered appropriate to do so.

Decision making

The powers of the Council will be exercised in accordance with the Council's constitution. Each application for a licence will be considered on their merits, and the Council will provide reasons for all decisions made.

Policy review

This policy will be reviewed every 3 years. The Council will make such revisions to the policy as it considers appropriate after consultation with all interested parties and publish it accordingly.

Appendix 1

Guidelines for applicants

Please read this document carefully before you fill your application form in.

1. An applicant for a new hackney carriage or private hire driver's licence must satisfy the Council that he or she is a fit and proper person to hold a drivers licence. The purpose of these guidelines is to make applicants aware of the Council's criteria and standards and how to make an application. This document also applies to existing licensed drivers.
2. Applicants must have held a full driving licence for a minimum of 12 months and the licence must be valid at the time of application. A provisional driving licence held with a driving test pass certificate will not be accepted. Your driving licence must show your current address - it is an offence to hold a driving licence if it is not registered at your current address.
3. Driving licences issued by another Member State of the European Community (EC) or one of the other countries in the European Economic Area (EEA) are acceptable providing the applicant has held the licence for at least 12 months. Further information for holders of driving licences not issued in this country, including a list of the countries within the EC and the EEA, is shown at Appendix A.
4. When filling your application form in you must disclose **all** convictions (including motoring convictions), 'spent' convictions, cautions, Police warnings and reprimands, and fixed penalties. You must also disclose if you are on police bail pending the outcome of a police investigation or whether any criminal proceedings in the Magistrates or Crown Court have been commenced against you. You must also let us know if you have had any anti-social behaviour order (or other order made by a court) issued against you. Failure to fully disclose any of these may lead to your application being refused and to prosecution. Please do not be tempted to leave anything out. The Council can consider all convictions (including spent convictions as appropriate) in accordance with the Rehabilitation of Offenders Act 1974 (Exceptions) (Amendment) Order 2002. Therefore you must disclose all 'spent' convictions. Information on the Rehabilitation of Offenders Act 1974 is attached at Appendix E.
5. Information received from you or the Criminal Records Bureau (CRB) will be kept in strict confidence while the licensing process takes its course. The Licensing Service fully complies with its obligations under the Data Protection Act 1998, the CRB Code of Practice and other relevant legislation regarding the correct handling, use, storage, retention and disposal of disclosures.

Please contact us on telephone number **0151 443 2300** if you would like to discuss your application.

The application process

6. Please fill in an application form answering the questions fully. When you submit your application you must produce your driving licence for inspection. If you have a photocard driving licence you must produce both the photocard and the paper licence. Applicants are also required to produce proof of identity such as a birth certificate or passport, and a recent utility bill (electric, gas, phone and so on) which must display the applicants name.

7. An enhanced CRB check is carried out on all new applicants and you must fill in a CRB form provided by the Council. The CRB check is an important safety measure particularly for those working with children and vulnerable people, and the Council will receive information on all convictions, cautions, reprimands and warnings recorded against you. The CRB will send an applicant a copy of their CRB. The Council will also ask the Driver and Vehicle Licensing Agency (DVLA), Swansea for details of your driving record and you will be asked to fill in a form provided by the Council. The fees for these checks will be paid by the applicant. CRB and DVLA checks are valid for 60 days only from their date of issue. A new applicant who has been approved for a licence must collect their licence before the end of the 60th day. Applicants must therefore ensure that they have had a medical and completed the driver training course within this period. If you do not collect your licence by this time then you will need to have further checks (and pay for them) before a licence is issued. Existing licensed drivers will require CRB and DVLA checks every three years, although in some cases the Council may require a particular driver(s) to have further checks.
8. The CRB cannot currently access overseas criminal records as part of its disclosure service. Therefore, an applicant who has lived in another country for a continuous period of three months (or more) within the last five years of the date of their licence application is required to submit a 'certificate of good conduct' (or similar) from each country. This document will either confirm 'good conduct' or list any convictions recorded against an applicant. Further information on this is attached at appendix A.
9. Applicants must complete formal training in the form of the national vocational qualification in road passenger vehicle driving - taxi and private hire (NVQ). The course covers topics such as customer service, disability awareness, personal safety, licensing regulations and a street knowledge test. You may wish to take the training whilst we await receipt of your CRB disclosure and DVLA check. However, completion of the training will not guarantee your application being granted. Only approved training providers approved by the Council can provide this training. Further information on the training course, the street knowledge test content and a list of approved training providers is attached at appendix C. Please do not arrange training with anyone who has not been approved by the Council.
10. Applicants must be medically fit to hold a drivers licence, and the Council has adopted the group two medical standards for licensed drivers. These standards, which also apply to professional drivers such as heavy goods drivers, are more stringent than the standard for 'normal' car drivers and further information on the medical is attached at appendix D. Each medical case will be considered on its merits although applicants who fail to meet the standards may be refused a licence. All medicals must be carried out by the approved medical provider which is the Council's Occupational Health Unit. Licensed drivers are medically examined at the ages of 50, 55, 60, 65 and then each year. Further medicals may be required at the Council's discretion according to the circumstances.

Please note that a licence will not be issued until an applicant has met all of the Council's licensing criteria.

11. An applicant who does not meet the Council's licensing criteria and/or if there are any concerns about an applicant being 'fit and proper', will be referred to the Licensing Panel who will consider the matter. Applicants are encouraged to put something in writing to explain the circumstances of any offences (and so on) and will be able to attend the panel to put their case forward. Any person refused a licence (or who has a licence suspended or revoked) has

a right of appeal to the Magistrates Court against the Councils decision within 21 days of being notified of the Councils decision.

Considering an application

12. The Council will consider an application entirely on its merits. A person who has committed an offence(s) need not be permanently barred from obtaining a licence but should be expected to show a period free of offences, according to the circumstances, prior to a licence being approved. An applicant must show adequate evidence that he or she is a 'fit and proper' person before a licence is issued. Whilst the Council will use its discretion, the overriding consideration is the protection of the public and someone who has committed an offence and has to wait a year or two before being accepted as a driver is more likely to value the licence and act accordingly.
13. Being a licensed hackney carriage or private hire driver is a responsible position and the Council takes its public protection role very seriously. The Council will only issue a licence if satisfied that a person is 'fit and proper'. If in doubt then a licence will not be issued. The Council has adopted guidelines below on various types of offences although any offences not specifically covered in these guidelines may still be considered depending on the circumstances.
14. The Council can consider all criminal convictions (including spent convictions), cautions, police warnings and reprimands, fixed penalties and any anti-social order (or other order) issued by a court. The Council will also consider factors such as whether someone is on police bail pending the outcome of an investigation or whether any criminal proceedings in a court have commenced.
15. Whilst an applicant may have a number of offences that, individually, meet the Councils guidelines, the overall offending history will be considered when assessing suitability for a licence. A series of offences over a period of time is more likely to give greater cause for concern than an isolated offence and may demonstrate a pattern of inappropriate behaviour which will be taken into account. The Council may depart from these guidelines at its discretion subject to the circumstances. In any case involving a sexual or serious violent offence a licence will normally be refused unless the applicant can demonstrate exceptional reasons why they should be considered 'fit and proper' to hold a licence.
16. The guidelines below provide a general guide to new applicants on the various types of offences. These guidelines equally apply to existing hackney carriage and private hire licence holders. who may commit offences while holding a licence.

Motoring offences

17. An applicants driving record will be taken into account and the Council will consider the nature and volume of motoring offences when considering applications. A poor record of driving will raise doubts about an applicant's fitness and indicate disregard for the law. The Council has put motoring offences into four categories ranging from extremely serious offences (category A) to less serious miscellaneous offences (category D). The Council will use its discretion when considering the seriousness of motoring offences and a list of motoring offences together with their likely category is attached at Appendix B. When considering motoring offences the Council will consider the nature and seriousness of the offence(s) and will have regard to the following;

Category A traffic offences - driving offences involving loss of life

18. An extremely serious view is taken of a driving offence resulting in the loss of life. Such offences include causing death by dangerous driving, causing death by careless driving whilst under the influence of drink or drugs, or other similar offences. An applicant with such a conviction is likely to be refused a licence for a period of at least five years from restoration of their DVLA driving licence, or five years from completion of any custodial sentence, whichever is longer.

Category B traffic offences - driving under the influence of alcohol or drugs

19. A serious view is taken of any motoring conviction for driving, attempting to drive, being in charge of a motor vehicle whilst under the influence of alcohol or drugs, and failure to supply a specimen. A person who has been disqualified from driving as a result of such an offence is likely to be refused a licence for a period of at least four years after the restoration of their DVLA driving licence. More than one 'live' conviction of this type would generally prevent a person from being licensed for five years after the restoration of their DVLA driving licence. If there is any suggestion that an applicant is alcohol or drug dependant then a satisfactory medical report (focusing on any dependency) must be provided to the Council at the expense of the applicant. If an applicant was found to be alcohol or drug dependant a period of five years should elapse after treatment is complete before an application is likely to be considered favourably. An alcohol or drug related driving conviction leading to loss of life is dealt with as a category A traffic offence.

Category C traffic offences - other serious offences

20. Generally, the Council class a serious traffic offence when six or more penalty points have been imposed on a DVLA driving licence in respect of any single offence. However, some offences where less than six penalty points are imposed may, subject to the circumstances, be classed as a serious offence. Offences leading to a driving disqualification (except those offences falling within categories A and B) will be treated as a serious offence. Subject to the circumstances an application for a licence will generally be refused for a period of at least two years after the most recent such conviction, or two years after restoration of the DVLA driving licence in the event of a disqualification. Types of offences classed as a serious offence include driving without insurance, dangerous driving, failure to stop after an accident and a driving disqualification under the 'totting up' procedure.

Category D traffic offences - miscellaneous offences

21. Generally, traffic offences where less than six penalty points are imposed on a DVLA driving licence will not prevent a person from being issued a licence. A person with up to nine 'live' penalty points on their DVLA driving licence for such offences is likely to be granted a licence subject to a written warning that any further offences may lead to the suspension or revocation of the licence. A person with 10 'live' penalty points and more for such offences must normally show a period of 12 months free from conviction before their application is likely to be considered favourably. A 'totting up' conviction following a number of separate offences will be considered as a serious offence.

Drug offences

A serious view is taken of any drug related offence, in particular offences involving possession with intent to supply. An applicant with a drug related offence will normally be refused a licence and expected to show a period of at least five years since either the offence, the date of

conviction or completion of any custodial sentence, whichever is longer. If there is evidence of persistent drug use or dependency a specialist medical examination or a drugs test may be required at the applicant's expense. If an applicant was an addict then they would normally be required to show evidence of seven years free from drug taking after detoxification treatment.

If an applicant or existing driver has been convicted of a drug related offence then, subject to the circumstances, a licence may be granted subject to a drug test being taken within a reasonable period of being requested to do so by the Council at the expense of the driver.

Sexual and indecency offences

22. Licensed drivers often carry unaccompanied and vulnerable passengers and applicants who have committed sexual and indecency offences will be closely scrutinised. Any applicant who has committed a sexual offence of any description, regardless of the date it was committed, will be referred to the Licensing Panel for consideration. Unless there are exceptional circumstances a person who has committed such an offence will normally be refused a licence. The nature and seriousness of the offence will be considered and applicants will be expected to show a substantial period free of convictions (at least ten years after conviction or ten years after completion of any custodial sentence, whichever is longer) before an application would ever be considered favourably. In addition, it is extremely unlikely that a licence will be granted to any applicant who is on the Sex Offenders Register.

Violent offences

23. Licensed drivers have close regular contact with the public and a firm line will be taken with those who have committed a violent offence. An applicant who has committed a violent offence will generally not be licensed until a period of at least five years has passed since either the offence, the date of conviction or from completion of any custodial sentence, whichever is longer. An application will normally be refused if an applicant has a conviction for an offence that involved significant harm or loss of life. If an applicant has committed more than one violent offence then it is likely that the application will be refused. Given the range of offences that involve violence the Council will carefully consider the nature of the offence, the sentence imposed and so on, when determining an application.

Dishonesty offences

24. Licensed drivers are expected to be honest and trustworthy. Drivers deal with cash transactions and valuable property may be left in their vehicles. Drivers often deliver unaccompanied property which gives an idea of the trust that is place in licensed drivers. It would also be reasonably easy for a dishonest driver to defraud the public by demanding more than the legal or agreed fare. For all these reasons, a serious view is taken of any offence involving dishonesty. An applicant with a dishonesty offence will generally be refused a licence for a period of at least three years since either the offence, the date of conviction or from completion of any custodial sentence, whichever is longer. Offences involving dishonesty include but are not limited to;

- theft
- fraud
- handling or receiving stolen goods
- conspiracy to defraud
- burglary
- benefit fraud
- forgery
- obtaining money or property by deception

- taking a vehicle without consent

Public order offences

25. Applicants who have committed public order offences such as affray, criminal damage, drunk and disorderly (and other similar offences) will generally be refused a licence for a period of a year or two (depending on the nature and seriousness of the offence) from the date of the offence, the date of conviction or the completion of any custodial sentence, whichever is longer. An applicant with more than one such recent offence will generally be expected to show a period of at least two years free of such offences.

Possession of an offensive weapon

26. An applicant with such an offence on their record will, depending on the circumstances of the offence, generally be refused a licence for a period of at least three years after either the offence, the date of conviction or from completion of a custodial sentence, whichever is longer. An extremely serious view will be taken if a licensed driver is found in possession of a weapon in a licensed hackney carriage or private hire vehicle.

Hackney carriage and private hire licensing offences

27. The main purpose of the licensing regime is to ensure the protection of the public. For this reason a serious view is taken of offences committed under the Town Police Clauses Act 1847, the Local Government (Miscellaneous Provisions) Act 1976, or any breach of licence conditions or byelaws made under the relevant legislation. An offence committed by a person while working as a hackney carriage or private hire driver, proprietor or operator may lead to a licence being suspended or revoked or a renewal application being refused. At the very least a written warning regarding future conduct will be issued.

Existing licence holders

28. Existing licensed drivers will require CRB and DVLA checks every three years, although in particular circumstances the Council may require a driver to have further checks. This document applies equally to existing licence holders as well as to new drivers. An existing driver who commits an offence (for example) will have that matter considered on its merits in the same way as a new applicant. In accordance with licence conditions existing drivers must, within seven days, notify the Council of **all** convictions (including motoring convictions), cautions, Police warnings and reprimands, fixed penalties and any anti-social behaviour order (or other order) issued by a court. Existing drivers must also disclose if they have been placed on police bail pending the outcome of an investigation or whether any criminal proceedings in the Magistrates or Crown Court have started against them. Failure to properly disclose **any** matter may lead to an application being refused (or a suspension or revocation) and to prosecution.
29. Complaints made about existing licence holders will also be taken into account according to the circumstances, and may result in a driver being referred to the Licensing Panel. An existing driver who is subject to an ongoing police investigation or criminal proceedings may, subject to the circumstances, have their licence suspended or revoked if it is in the interest of the public and the Council is no longer satisfied that they are a 'fit and proper' person.

Renewal applications

30. The Council will send an application form (and CRB and DVLA check forms if applicable) out to drivers approximately one month before the licence expires. It is the driver's responsibility to ensure that a licence is renewed on time before it expires. If someone continues to work as a driver whilst a licence has expired then an offence is committed which could lead to prosecution and which may jeopardise any further licence being issued. An existing driver who submits a licence application after it has expired (a late renewal) will be issued with a further licence providing the application is made within 14 days of the previous licence expiring. The licence will be issued subject to a condition requiring the driver to complete (if he or she hasn't already) the Council's approved driver training course (see paragraph 9 and appendix C of this document) within 12 months.
31. A driver who allows their licence to expire for more than 14 days will be treated as a new applicant unless there are exceptional circumstances. Further CRB and DVLA checks will be required (and the necessary fees), and the driver must pass the driver training course (if they haven't already done so) before a new licence will be issued. A further medical may also be required.

Applications should be returned to;

The Licensing Service, Huyton One Stop Shop
Municipal Buildings, Archway Road, Huyton
Merseyside L36 9YU.

The office is open to the public Monday to Friday between 9am and 4pm.

If you have any queries regarding your application please contact us on **0151 443 2300**.

You can also get this information in other formats. Please phone Customer Services on 0151 443 3197, or email customerservices@knowsley.gov.uk

Appendix A - holders of European Community or European Economic Area driving licences and obtaining a certificate of good conduct

1. Holders of European Community or European Economic Area driving licences

Holders of non-UK driving licences can be licensed as a hackney carriage or private hire driver providing an applicant holds a full current driving licence (which has been valid for more than 12 months) issued by a country in the European Community (EC) or European Economic Area (EEA) – see list below;

Austria	France	Liechtenstein	Romania
Belgium	Germany	Lithuania	Slovakia
Bulgaria	Greece	Luxembourg	Slovenia
Cyprus	Hungary	Malta	Spain
Czech Republic	Iceland	Netherlands	Sweden
Denmark	Ireland	Norway	United Kingdom
Estonia	Italy	Poland	
Finland	Latvia	Portugal	

Holders of non-UK driving licences are required to have a DVLA driver licence check every 12 months. This is because any motoring offences committed in this country by the holder of a non-UK driving licence cannot be endorsed onto a driving licence not issued in this country. However, any such offences are recorded by the DVLA, and the Council will check these records annually. The fee for the DVLA check will be paid by the applicant. Any motoring offences must be disclosed by an applicant to the Council.

Applicants holding a full Northern Ireland (NI) driving licence can use that licence in this country until its expiry. A person holding an NI licence can exchange it for a British one providing the NI licence was issued on or after 1 January 1976.

Holders of driving licences issued in Jersey, Guernsey and the Isle of Man and who are resident in this country can drive here for up to 12 months from the time they became resident. To continue driving after that time the driving licence must be exchanged for a British licence. A licence from Jersey, Guernsey or the Isle of Man can be exchanged for a British one providing it was issued after 1 April 1991.

Holders of driving licences issued in the following countries and who become resident in this country can drive here for 12 months from becoming resident. After this date, the licence must be exchanged for a British one. The countries are; Australia, Barbados, British Virgin Islands, Canada, Falkland Islands, Faroe Islands, Hong Kong, Japan, Monaco, New Zealand, Republic of Korea, Singapore, South Africa, Switzerland and Zimbabwe.

2. Obtaining a certificate of good conduct

The CRB cannot currently access criminal records held overseas except in a limited number of cases. Therefore an applicant who has lived in another country for a continuous period of three months (or more) within the last five years (from the date of their application) is required to submit a 'certificate of good conduct' (or similar) from each country. This is in addition to the CRB disclosure.

This certificate will confirm an applicants 'good conduct' or provide details of any convictions committed overseas. The certificate must be in English and the applicant will be responsible for any costs in obtaining it. The CRB website www.crb.gov.uk provides further information including how to obtain a certificate from the following countries;

Australia	France	Latvia	Poland
Canada	Germany	Malaysia	South Africa
Czech Republic	Hungary	Malta	Spain
Denmark	Ireland	Netherlands	Sweden
Estonia	Italy	New Zealand	Turkey
Finland	Jamaica	Philippines	

If the country that you are looking for is not listed on the CRB website then you may wish to contact your country's representative. The contact details for those countries that have a representative in the UK can be found on the Foreign and Commonwealth website www.fco.gov.uk or telephone 020 7008 1500.

Where an applicant is unable to provide a certificate they must explain in writing why and provide at least two written references (in English) from individuals and/or bodies who can confirm their conduct for their time in the country (the referee must not be a family member). The Licensing Authority will consider each case on its merits. Particular consideration will be given to assess whether the applicant has demonstrated that they have provided all the available information or made every effort to obtain the information.

Any applicant who has been granted or is awaiting a decision to be granted asylum or refugee status will **not** be required to produce a certificate from the country they are claiming asylum from. The applicant will, however, be required to obtain a certificate from any other country they have lived in within the last five years.

Appendix B Motoring offences

Code	Offence	Penalty points	Council category
Accident offences			
AC10	Failing to stop after an accident	5 to 10	C
AC20	Failing to give particulars or to report an accident within 24 hours	5 to 10	C
AC30	Undefined accident offences	4 to 9	C
Disqualified driver offences			
BA10	Driving while disqualified by order of court	6	C
BA30	Attempting to drive while disqualified by order of court	6	C
Careless driving offences			
CD10	Driving without due care and attention	3 to 9	C or D*
CD20	Driving without reasonable consideration for other road users	3 to 9	C or D*
CD30	Driving without due care and attention or without reasonable consideration for other road users	3 to 9	C or D*
CD40	Causing death through careless driving when unfit through drink	3 to 11	A
CD50	Causing death by careless driving when unfit through drugs	3 to 11	A
CD60	Causing death by careless driving with alcohol level above the limit	3 to 11	A
CD70	Causing death by careless driving then failing to supply a specimen for analysis	3 to 11	A

Construction and use offences			
CU10	Using a vehicle with defective brakes	3	D
CU20	Causing or likely to cause danger by reason of use of unsuitable vehicle or using a vehicle with parts or accessories (excluding brakes, steering or tyres) in a dangerous condition	3	D
CU30	Using a vehicle with defective tyre(s)	3	D
CU40	Using a vehicle with defective steering	3	D
CU50	Causing or likely to cause danger by reason of load or passengers	3	D
CU80	Using a mobile phone while driving a motor vehicle	3	D
Reckless and dangerous driving offences			
DD40	Dangerous driving	3 to 11	B
DD60	Manslaughter or culpable homicide while driving a vehicle	3 to 11	A
DD80	Causing death by dangerous driving	3 to 11	A
DD90	Furious driving	3 to 9	C
Drink or drugs' offences			
DR10	Driving or attempting to drive with alcohol level above limit		B
DR20	Driving or attempting to drive while unfit through drink		B
DR30	Driving or attempting to drive then failing to supply a specimen for analysis		B
DR40	In charge of a vehicle while alcohol level above limit		B
DR50	In charge of a vehicle while unfit through drink		B

DR60	Failure to provide a specimen for analysis in circumstances other than driving or attempting to drive		B
DR70	Failing to provide specimen for breath test		B
DR80	Driving or attempting to drive when unfit through drugs		B
DR90	In charge of a vehicle when unfit through drugs		B

Insurance offences

IN10	Using a vehicle uninsured against third party risks	6 to 8	C
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Licence offences

LC20	Driving otherwise than in accordance with a licence	3 to 6	C or D*
LC30	Driving after making a false declaration about fitness when applying for a licence	3 to 6	C or D*
LC40	Driving a vehicle having failed to notify a disability	3 to 6	C or D*
LC50	Driving after a licence has been revoked or refused on medical grounds	3 to 6	C or D*

Miscellaneous offences

MS10	Leaving a vehicle in a dangerous position	3	D
MS20	Unlawful pillion riding	3	D
MS30	Play street offences	2	D
MS50	Motor racing on the highway	3 to 11	C or D*
MS60	Offences not covered by other codes	Various	As appropriate*
MS70	Driving with uncorrected defective eyesight	3	D
MS80	Refusing to submit to an eyesight test	3	D
MS90	Failure to give information as to identity of driver etc	6	C

Motorway offence

MW10	Contravention of special roads regulations (excluding speed limits)	3	D
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Pedestrian crossings' offences

PC10	Undefined contravention of pedestrian crossing regulations	3	D
PC20	Contravention of pedestrian crossing regulations with moving vehicle	3	D
PC30	Contravention of pedestrian crossing regulations with stationary vehicle	3	D

Speed limit offences

SP10	Exceeding goods vehicle speed limits	3 to 6	D
SP20	Exceeding speed limit for type of vehicle (excluding goods or passenger vehicles)	3 to 6	D
SP30	Exceeding statutory speed limit on a public road	3 to 6	D
SP40	Exceeding passenger vehicle speed limit	3 to 6	D
SP50	Exceeding speed limit on a motorway	3 to 6	D

Traffic direction and signs

TS10	Failing to comply with traffic light signals	3	D
TS20	Failing to comply with double white lines	3	D
TS30	Failing to comply with 'Stop' sign	3	D
TS40	Failing to comply with direction of a constable/warden	3	D
TS50	Failing to comply with traffic sign (excluding 'stop' signs, traffic lights or double white lines)	3	D
TS60	Failing to comply with a school crossing patrol sign	3	D

TS70	Undefined failure to comply with a traffic direction sign	3	D
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Special code – ‘totting up’

TT99	To signify a disqualification under 'totting-up' procedure. If the total of penalty points reaches 12 or more within three years, the driver is liable to be disqualified
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Theft or unauthorised taking

UT50	Aggravated taking of a vehicle	3-11	C
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Aiding, abetting, counselling or procuring

Offences as coded, but with 0 changed to 2, for example LC10 becomes LC12.

Causing or permitting

Offences as coded, but with 0 changed to , for example LC10 becomes LC14.

Inciting

Offences as coded, but with the end 0 changed to 6, for example DD40 becomes DD46.

Offences remain on a DVLA driving licence for the following periods of time:

CD40, CD50, CD60, CD70, DR10, DR20, DR30 and DR80 - 11 years from date of conviction;

DD40, DD60, DD80 and offences resulting in disqualification - 4 years from date of conviction;

All other offences remain on the licence for 4 years from date of offence.

Source: www.direct.gov.uk

Appendix C - driver training and the street knowledge test

All new hackney carriage and private hire drivers are required to take a National Vocational Qualification (NVQ) in road passenger vehicle driving. Existing drivers have until 5 October 2014 to complete the course.

What is the NVQ?

The NVQ is a nationally recognised training course and qualification designed for the hackney carriage and private hire trade.

What does the course include?

The course is in two parts and aims to provide new applicants with the relevant key skills and knowledge required of drivers. The course topics include:

- customer service;
- equality and diversity;
- disability awareness;
- transporting passengers safely;
- carriage of luggage and parcels;
- map reading and route planning;
- taxi and private hire regulation; and
- street knowledge test.

Part one;

- Applicants will attend a number of classroom based sessions to gain a Vocational Related Qualification (VRQ). This includes study of the above mentioned topics and two multiple choice assessments. On successful completion of part one, applicants will be issued with a VRQ certificate.
- Applicants must produce their VRQ certificate to the Council before a licence can be issued. If the certificate is not available then satisfactory evidence of passing the VRQ will be accepted at the Councils discretion.
- Applicants must also fulfil the criteria as being **'fit and proper'** to hold a licence. This includes satisfactory criminal record bureau (CRB) checks and medical fitness.

Once an applicant meets the criteria then the Council will issue a drivers licence. The applicant can then take part two of the course to obtain the NVQ.

Part two;

- Drivers are required to demonstrate their competence in the workplace as a licensed driver. This involves several on the road assessments carried out by the training provider.
- New drivers have 12 months from the issue of their initial licence to successfully complete the NVQ. Drivers must produce their NVQ certificate to the Council.

Who does the training?

Training can be carried out by training providers who have been approved by the Council. Applicants must only take this course with organisations that are approved by the Council. If in doubt, please contact us on **0151 443 2300**.

The following training providers have been approved;	
Knowsley Community College Kirkby Campus Cherryfield Drive Kirkby 0151 477 5809 07740 406 013	Unite the Union Transport and General Section Jack Jones House 143 Sefton Street Liverpool 0151 728 2200
Liverpool Chamber of Commerce 1 Old Hall Street, Liverpool L3 9HG 0151 236 3222	Liverpool Community College Bankfield Road Centre Liverpool 0151 252 3010 07961 245 367
Rio Training, Hanover House, 85 Hanover Street, Liverpool, L1 3DZ Tel: 0151 254 1340, www.riotraining.co.uk , info@riotraining.co.uk	SRC Recruitment, 105-107 Bridge Road Liverpool, Merseyside L12 2PB Tel: 0151 928 3535 Mobile: 07745883143 Email: srcrecruitment@btconnect.com
Training Strategies Ltd Centec Business centre, Stopgate Lane, Aintree, Liverpool L96AW Tel: 0151 523 9655 Web: www.tsl.eu.com	

Applicants should contact the approved training providers for details of course dates and enrolment.

How much does the training cost?

Some funding may be available for the course (subject to availability) and dependant on individual circumstances. Please contact the approved training providers for further details about funding.

What does the street knowledge test consist of?

Please read the street knowledge test guidance notes below. The street knowledge test forms part of the VRQ course and is carried out by approved training providers.

Can I have a licence without attending the training course?

No, all new drivers must complete part one of the training before they get a licence. New drivers must then achieve the NVQ within 12 months of the issue of their initial licence. Failure to do so without a reasonable explanation may result in a licence being withdrawn.

What if I have trouble reading or writing?

All training providers should offer ongoing support for all applicants. Please contact the training providers if you have any concerns about taking the course.

The street knowledge test

Licensed drivers in Knowsley should provide members of the public with a high quality taxi and private hire service. To help achieve this all licensed drivers are expected to have a good knowledge of the Knowsley area and some of the more popular destinations in neighbouring areas. The street knowledge test is part of the vocational related qualification (VRQ). It is a written assessment and applicants are currently tested on the following:

Routes

You will be asked 10 routes (chosen at random) from the list of 50 routes below. You will be asked to state the **shortest** possible route from A to B, naming as many of the roads and streets as possible so that the person marking your answer is satisfied that you know the shortest way. Please disregard any temporary roadworks in place at the time of your test and whilst you can mention landmarks on your answers you are expected to name most of the roads.

1. The Derby Arms Pub, Knowsley Village to Huyton Railway Station.
2. The L32 Club, Kirkby to Liverpool Football Club.
3. Derby Arms Pub, Halewood to the Derby Lodge Hotel, Huyton.
4. Horseshoe Pub, Whiston to Huyton Magistrates Court.
5. Derby Lodge Hotel, Huyton to the Showcase Cinema, Croxteth
6. Halewood Railway Station to Whiston Hospital (main entrance).
7. The Swan Pub, Huyton to the Bowring Park Pub, Huyton.
8. Halewood Labour Club to the Village Hotel, Whiston.
9. Gala Bingo Club, Kirkby to the Hare and Hounds Pub, Tarbock.
10. Prescott Leisure Centre to Halewood Library.
11. Buckingham Bingo, Huyton to Stockbridge Village Shopping Parade.
12. The Ploughman Pub, Stockbridge Village to Kirkby Railway Station.

13. Dales Country Club, Halewood to Wavertree Clock.
14. Kirkby Railway Station to the Huyton Civic Suite.
15. The Crofters Pub, Huyton to Whiston Hospital (main entrance).
16. Huyton Police Station to the Coplehouse Pub, Kirkby.
17. Whiston Hospital (Accident and Emergency) to Fazakerley Hospital (main entrance).
18. Prescott Museum to Halewood Railway Station.
19. Stockbridge Village Shopping Parade to Kirkby Railway Station.
20. Kirkby Railway Station to Fazakerley Hospital.
21. Whiston Hospital (Accident and Emergency) to Alder Hey Children's hospital.
22. Alt Resource Centre, Huyton to Huyton Primary Care Resource Centre.
23. The Eagle and Child, Halewood to Woolton Post Office.
24. St. Johns Community Centre, Huyton to Whiston Hospital (main entrance).
25. China Star Restaurant, Whiston to Huyton Magistrates Court.
26. Halewood Police Station to the Albert Dock, Liverpool.
27. The Pipe and Gannex Pub, Knowsley Village to the Kirkby Civic.
28. Royal British Legion Club, Kirkby to the Carters Arms Pub, Kirkby.
29. King George the fifth Sports Centre, Huyton to Prescott Leisure Centre.
30. The Barley Mow Pub, Stockbridge Village to Broadgreen Hospital.
31. Huyton Railway Station to the Chapel Brook Pub and Hotel, Huyton.
32. The Derby Lodge Hotel, Huyton to Liverpool Football Club.
33. The Farmers Arms Pub, Kirkby to Royal Liverpool University Teaching Hospital.
34. Arncliffe Community Centre, Halewood to Knowsley Safari Park.
35. Whiston Hospital (Accident and Emergency) to Royal Liverpool University Teaching Hospital.
36. The Village Hotel, Whiston to Prescott Railway Station.
37. Whiston Railway Station to Huyton Railway Station.
38. QVC, Kirkby to Lime Street Railway Station, Liverpool.
39. Kirkby Leisure Centre to the Barley Mow Pub, Stockbridge Village.
40. The Pipe and Gannex Pub, Knowsley Village to the Fantail Pub, Kirkby.
41. The Hare and Hounds Pub, Tarbock to the Albert Dock, Liverpool.
42. The Bowring Park Pub, Huyton to Tesco's, Prescott.
43. Huyton Police Station to Kirkby Police Station.
44. The David Lloyd Leisure Centre, Kirkby to Prescott Museum.
45. Kirkby Police Station to Her Majesty's Prison Altcourse, Fazakerley.

46. The Huyton Civic Suite to the Carters Arms Pub, Kirkby.
47. Prescott Cables Football Club to Liverpool John Lennon Airport.
48. Chapel Brook Pub and Hotel, Huyton to Highfield School, Halewood.
49. St. Aloysius Church, Huyton to the Green Dragon Pub, Whiston.
50. Longview Social Club, Huyton to the Showcase Cinema, Croxteth.

Public buildings

This section covers public buildings in Knowsley such as police stations, railway stations, leisure centres, libraries, Council buildings, colleges and factories. You will be asked to state the name of the road or street in respect of 20 public buildings in Knowsley. A copy of the exam paper is shown below.

KIRKBY CIVIC SUITE KIRKBY POLICE STATION HALEWOOD RAILWAY STATION HUYTON RAILWAY STATION PRESCOT LEISURE CENTRE HALEWOOD LIBRARY MAKRO HALEWOOD ONE STOP SHOP (COUNCIL BUILDING) HUYTON POLICE STATION KNOWSLEY COMMUNITY COLLEGE, HUYTON HUYTON LEISURE CENTRE HUYTON MUNICIPAL BUILDINGS WHISTON LIBRARY ASDA SUPERMARKET HUYTON KAMMAC, KIRKBY WHISTON HOSPITAL A & E ENTRANCE HALEWOOD POLICE STATION KNOWSLEY VILLAGE HALL HUYTON LIBRARY HUYTON MAGISTRATES COURT R.S.P.C.A DOGS HOME, HALEWOOD HALEWOOD POLICE STATION QVC, KIRKBY KIRKBY COLLEGE KNOWSLEY VILLAGE HALL KNOWSLEY COMMUNITY COLLEGE, HUYTON ACORN ADVENTURE FARM KIRKBY PRESCOT MUSEUM KNOWSLEY SAFARI PARK HALEWOOD LIBRARY KIRKBY MAIN LIBRARY HUYTON SUITE	MUNICIPAL BUILDINGS, KIRKBY. KIRKBY POLICE STATION PRESCOT MUSEUM GALA BINGO CLUB, KIRKBY. BUCKINGHAM BINGO, HUYTON. HUYTON MUNICIPAL BUILDINGS. ASDA SUPERMARKET HUYTON. HALEWOOD POLICE STATION. SONAE FACTORY, KIRKBY
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Licensed premises - including pubs, clubs, hotels and restaurants

You will be asked to state the name of the road or street in respect of 20 licensed premises in Knowsley. A copy of the locations are shown below.

<ol style="list-style-type: none">1. BLACK HORSE CRONTON2. BRICKWALL INN3. JOHNNY TODD, KIRKBY4. THE PARK BROW, KIRKBY5. THE HOLT HOTEL, HUYTON6. THE MOLYNEUX, KIRKBY7. PIPE AND GANNEX, KNOWSLEY VILLAGE8. MARINERS INN, KIRKBY9. HALEWOOD LABOUR CLUB10. ROBY HOTEL, HUYTON11. THE ROYAL OAK, PRESCOT12. DALES COUNTRY CLUB HALEWOOD13. MILLBROOK MANOR, KNOWSLEY VILLAGE14. GRENADIER, HALEWOOD15. HUYTON CRICKET AND BOWLING CLUB.16. TWELVE FIVE SOCIAL CLUB, KIRKBY17. TOMMY HALLS, PRESCOT18. STANLEY ARMS, HUYTON19. SUNN INN, PRESCOT20. THE WATCH MAKER WHISTON21. CHAPEL BROOK HOTEL, HUYTON22. EAGLE & CHILD, HALEWOD23. THE RAILWAY KIRKBY24. THE L32 CLUB KIRKBY25. THE BOUNDARY PUB, HUYTON26. FALCON, KIRKBY27. BARLEY MOW, STOCKBRIDGE VILLAGE28. MARINERS INN, KIRKBY29. HALEWOOD LABOUR CLUB30. WHEATSHEAF, HUYTON31. THE FUSILIER, PRESCOT	<ol style="list-style-type: none">32. BATH SPRINGS, PRESCOT32. DERBY ARMS HALEWOOD33. GRENADIER, HALEWOOD34. McDONALDS, HUYTON35. FANTAIL, KIRKBY36. PRINT HOUSE, PRESCOT37. THE GOLD BALANCE, KIRKBY
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Boundaries

As well as the above sections, new hackney carriage applicants will also be asked eight questions on the location of Knowsley's boundaries with neighbouring authorities. A copy the questions are shown below.

1. NAME THE TWO MAIN ROADS NEAREST THE BOUNDARY BETWEEN KNOWSLEY AND ST HELENS ON ST HELENS ROAD.

2. WHICH OF THE FOLLOWING ARE IN THE KNOWSLEY AREA?
3. CHASER PUB, COPPLEHOUSE PUB, PEAR TREE PUB, FAZAKERLEY HOSPITAL.
4. ON WHICH ROAD IN HALEWOOD DOES THE BOUNDARY BETWEEN KNOWSLEY AND LIVERPOOL RUN DOWN THE MIDDLE?
5. NAME ONE OF TWO ROADS NEAREST THE BOUNDARY BETWEENKNOWSLEY AND LIVERPOOL ON LONGMOOR LANE.
6. NAME THE THREE ROADS WHICH RUN BETWEEN KNOWSLEY & LIVERPOOL IN PAGEMOSS AND DOVECOT.
7. WHICH OF THE FOLLOWING ARE WITHIN THE KNOWSLEY AREA? CHASER PUB, COPPLEHOUSE PUB, PEAR TREE PUB, FAZAKERLEY BRITISH LEGION, BLACK HORSE PUB, CRONTON AND FAZAKERLEY HOSPITAL.
8. GLOVERS BROW, KIRKBY RUNS INTO WHICH ROAD TO FORM A BOUNDARY BETWEEN KNOWSLEY AND SEFTON?
9. WHICH ROAD RUNS BETWEEN THE BOUNDARY WITH LIVERPOOL AND KNOWSLEY IN THE SWANSIDE,
- 10.KNOTTY ASH AND DOVECOT AREA?

A maximum of two hours is allowed to complete the test and the pass rate is 70% (of each section). Anyone who feels they will be unable to complete a written test for whatever reason should contact the training provider to discuss further. The test is conducted under test conditions and therefore;

- no conversation is allowed between applicants during the test;
- once you leave the room you will not be allowed to come back in to complete the test and;
- you are not allowed to bring a test paper away with you.

Appendix D - the Council's medical standards

In July 1998 the Council introduced the group two medical standards as recommended by the Medical Commission on Accident Prevention. These standards, which also apply to professional drivers such as heavy goods drivers, are more stringent than the standard for 'normal' car drivers. Any applicant who fails to meet these standards may be refused a licence, however each case will be considered on its own merits.

A new applicant for a hackney carriage or private hire drivers licence is required to prove their medical fitness to the Council before a licence can be issued. Once licensed, further medicals are required at the age of 50, 55, 60, 65 and then annually. A new applicant suffering from a group two medical condition (see below) will generally be refused a licence.

Current licence holders (who were licensed prior to the Council adopting of the group two medical standards in July 1998) who subsequently develop such a condition will continue to be licensed subject to satisfactory annual consultant medical certification.

Any new applicants licensed following the introduction of the group two medical standards who are subsequently diagnosed as suffering from a group two medical condition are likely to have their licence revoked.

All medicals are carried out by the Councils Occupational Health Unit which is based in the Municipal Buildings, Cherryfield Drive, Kirkby. The Council will not accept a medical carried out by anyone else. Medical appointments can be arranged by calling the Occupational Health Unit on **(0151) 443 5780**. A fee is payable (see attached list of fees) to the Licensing Service in advance of all medicals. When you attend for the medical you will need to produce your payment receipt, proof of your identity (which must show a photograph) and details of any medication you are currently taking. If you suffer or have suffered previously from any of the following medical disorders your application could be effected and you should seek contact the Licensing Service or the Occupational Health Unit before proceeding with your application;

Epileptic attack - applicants must not have a liability to epileptic seizures. Applicants must have been free of epileptic seizures for at least the last ten years and have not taken anti epileptic medication during this ten year period.

Diabetes - insulin treated diabetics may **not** obtain a new licence. Drivers who held a hackney carriage or private hire driver's licence valid on 14 July 1998 (and the Council had knowledge of the insulin treatment before that date) will continue to be licensed subject to satisfactory annual consultant medical certification.

Eyesight - applicants must be able to read in good daylight a number plate at 20.5 metres (67 feet), and, if glasses or corrective lenses are required to do so, these must be worn while driving. In addition applicants must have a visual acuity of at least 6/9 in the better eye, and a visual acuity of at least 6/12 in the worse eye. If these are achieved by correction the uncorrected visual acuity in each eye must be no less than 3/60. Applicants may not be licensed if they suffer from uncontrolled diplopia (double vision) or if they do not have a normal binocular field of vision.

Miscellaneous medical conditions

Applicants are likely to be refused a licence if they are unable to meet the national recommended guidelines in the following cases;

- within 3 months of myocardial infarction, any episode of unstable angina, CABG or coronary angioplasty;
- a significant disturbance of cardiac rhythm occurring within the past 5 years unless special criteria is met;
- suffering from or receiving medication for angina or heart failure;
- hypertension where the blood pressure BP is persistently 180 systolic or over or 100 diastolic or over;

- a stroke or unexplained loss of consciousness within the past 5 years;
- Meniere's and other conditions causing disabling vertigo, within the past 1 year, and with a liability to recurrence;
- recent severe head injury with serious continuing after effects, or major brain surgery
- Parkinson's disease, multiple sclerosis or other "chronic" neurological disorders likely to affect limb power and co-ordination;
- suffering from a psychotic illness in the past 3 years, or suffering from dementia;
- alcohol dependency or misuse, or persistent drug or substance misuse or dependency in the past 3 years;
- difficulty in communicating by telephone in an emergency;
- any other serious medical condition which may cause problems for road safety when driving a hackney carriage or private hire vehicle;
- if major psychotropic or neuroleptic medication is being taken;
- any malignant condition within the last 2 years likely to metastasise to the brain, for example carcinoma of lung or malignant melanoma.

Applicants and existing licence holders who have an on-going medical condition will normally require a letter from either their own doctor or consultant on an annual basis as part of their licence renewal to confirm their current condition and health. The Occupational Health Unit will assess the information contained in the letter and decide if a further medical is required. The applicant will be responsible for any costs associated with this process.

Appendix E - the Rehabilitation of offenders Act 1974

The Rehabilitation of Offenders Act 1974 enables criminal convictions to become 'spent' after a certain rehabilitation period. A rehabilitation period is a set length of time from the date of conviction. The length of the rehabilitation period depends on the penalty imposed - not the offence committed. Please see the table below. For a custodial sentence the rehabilitation period relates to the sentence imposed by the court (even if it is a suspended sentence) and not the time spent in prison.

However, Section 7(3) of the above act allows the Council to consider spent convictions if it believes that an application cannot be properly considered unless a spent conviction(s) is taken into account. This power will not be used lightly and the Council will carefully consider each case on its merits. The protection and safety of the fare paying passenger and the general public is the main consideration in determining whether a spent conviction(s) should be considered. In general, spent offences which are likely to be taken into account include:

- all types of sexual/indecency offences;
- convictions involving violence;

- drug related offences;
- dishonesty offences and;
- serious road traffic offences.

a sentence of imprisonment or preventative detention over two and a half years (and equivalents for young offenders)	convictions can never be spent
a sentence of imprisonment between six months and two and a half years	ten years*
a sentence of imprisonment of six months or less	seven years*
a fine or community service order	five years*
a conditional discharge, bind over, probation, supervision or care order	one year from date of conviction or the date when the order expires whichever is the longer
an attendance centre order	one year after the order expires
an absolute discharge	six months
a hospital order	five years or two years after the order expires

Notes:

Figures marked * above are halved for individuals convicted when under the age of 17 years. A sentence to a borstal (abolished in 1983) is spent after 7 years, a sentence to a detention centre (abolished in 1988) is spent after 3 years.

If a person is convicted of a further offence before an earlier conviction one is spent, the earlier conviction remains 'live' until the latest conviction is spent.