



Civic Government (Scotland) Act 1982 Taxi / Private Hire Driver's Licence Guidance Notes - Applicants

1. Application

The application must be accompanied by the relevant fee. Application fees are non refundable. If after receipt of the application form it is determined that the relevant fee has not been properly paid, e.g. cheque returned by the bank, the application will be rendered void and will be returned to you. In the event that your application is refused, your fee will not be refunded.

2. Convictions

It is important that applicants declare all convictions, or pending cases, failure to declare all convictions is a criminal offence. Failure to declare convictions or provision of incomplete information may lead to the refusal your of application. After refusal a further application can not be considered for a period of one year except on a material change of circumstances.

3. Driving Licence

On making an application to the Council for a licence to drive a taxi or private hire car, the original driving licence of the applicant must be produced for examination; a copy will not be accepted.

4. Passport Photographs

One passport sized photograph signed on the reverse must accompany the application form.

5. Evidence of Right to Work in UK

From 1 December 2016, the Council is under a legal duty to check that any applicant for a taxi or private hire car driver licence is not disqualified due to their immigration status from holding such a licence. A licence cannot be granted without these checks being completed. From this date all applicants for new and renewal taxi or private hire car driver licences are required to produce original documents demonstrating that they have the right to work in the UK.

If you are a British citizen you should provide your current passport. If you do not have a passport, you should provide original documents from List A on the attached 'Right to Work checklist' of acceptable documents. If you are an EU national, you should provide your current passport. If you are neither a British citizen nor an EU national, you must provide original Documents from List B on the attached 'Right to Work checklist' of acceptable documents.

Applicants must contact the Licensing Administrator on 01259 452093 to make an appointment for an interview bringing with them the relevant documentation.

List A

No restrictions on right to work in the UK

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

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.

This guidance [[link to page 16](#)] provides further information on checking a non-European Economic Area national family member's right to a licence.
 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.
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1. 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.
 2. 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.

6. Medical Examination

The Council require:-

- (i) all new applicants to submit a Medical Certificate,
- (ii) existing licence holders who at the time of renewal of their licence are aged 55 or over to submit a Medical Certificate every 6 years,
- (iii) existing licence holders who at the time of renewal of their licence are aged 65 or over to submit a Medical Certificate on an annual basis

A blank Medical Certificate is provided as part of the application form. Applicants are responsible for arranging an appropriate medical examination to be carried out by a qualified medical practitioner (Doctor) of their choice. Any fee payable must be paid by the applicant.

NB

- a) The completed and signed **Medical Certificate** must be submitted with the application.
- b) Any **medical examination** report must **NOT** be submitted with the application as this may contain confidential information relative to the applicant.
- c) Medical examinations should take place no more than **28 days** prior to submission of the drivers licence application to the Council.

Medical Examination

Further Information to Assist Applicants

Clackmannanshire Council in following UK Government guidance and the Scottish Governments "Taxi and Private Hire Car Licensing: Best Practice Guidance for Licensing Authorities" issued in 2012 have adopted a level of medical examination to the standard required in terms of the D.V.L.A. Group 2 Medical Standards.

If you match the criteria listed in 6(i), 6(ii) or 6(iii) above, you will require to undergo a medical examination as described in the previous paragraph BEFORE submitting your application for a Taxi or Private Hire Car drivers licence to the Council.

It is important to note that it is expected that a medical practitioner in carrying out the examination will exercise professional judgement in assessing the degree and detail of the examination relative to the duties undertaken by the applicant as a taxi/private hire car driver and that each case will be assessed on its own merit.

The medical practice you select to carry out the examination may charge a fee for carrying out the medical examination which if required is payable by the applicant. The Council does not expect medical practices to provide this service free of charge as part of their NHS obligation

The Medical Certificate (see enclosure) duly completed and signed by the medical examiner must be submitted with your application for a Taxi or Private Hire Car drivers licence. The medical examination report completed by the examiner must **NOT** be submitted with the application.

When submitting your application you will need:-

- 1. A completed and signed application form**
- 2. One passport sized photograph signed on the reverse**
- 3. A completed and signed Medical Certificate (if appropriate - see notes above)**
- 4. Application fee**
- 5. Documentation on Right to Work in the UK**

Please note:-

Failure to provide the relevant fully completed and signed document(s), photograph and correct fee will constitute an invalid application which will result in the application being returned to the applicant.

If you require any further information please contact the Licensing Administrator on telephone number 01259 452093 or email address licensing@clacks.gov.uk



Civic Government (Scotland) Act 1982
Taxi / Private Hire Driver's Licence
Guidance Notes - Medical Practitioners (Doctors)

Information to Assist Medical Practitioners

On 4 July 2013 Clackmannanshire Council's Regulatory Committee approved new licence conditions for taxi and private hire car drivers.

Licence Condition 3.2 states:-

*The driver of a taxi or Private Hire Car on the initial application, or on first renewal of his/her licence after attaining the age of **55** will require to submit a Clackmannanshire Council pro forma medical certificate at the time of making the relevant application. He/she shall require to submit medical certificates every **6** years thereafter until attaining the age of **65** whereupon he/she shall require to renew his/her taxi driver's licence and submit medical certificates annually thereafter.*

This new condition has been introduced with reference to the DVLA guidance following on from the advice of the Secretary of State's Honorary Medical Advisory Panel. As a result, the following document titled "At a glance Guide to the current Medical Standards of Fitness to Drive" was published for medical practitioners. Page 2 of this document includes the following text:-

Taxi Licensing *

The House of Commons Transport Select Committee on Taxis and Private Hire Vehicles recommended in February 1995 that taxi licence applicants should pass a medical examination before such a licence could be granted.

Responsibility for determining the standards, including medical requirements, to be applied to taxi drivers, over and above the driver licensing requirements, rests with Transport for London in the Metropolitan area and the Local Authority in all other areas. Current best practice advice is contained in the booklet "Fitness to Drive": A Guide for Health Professionals published on behalf of the Department by The Royal Society of Medicine Press Limited ((RSM) in 2006. This recommended that the Group 2 medical standards applied by DVLA in relation to bus and lorry drivers, should also be applied by local authorities to taxi drivers.

** The advice of the Panels on the interpretation of EC and UK legislation, and its appropriate application, is made within the context of driver licensing and the DVLA process. It is for others to decide whether or how those recommendations should be interpreted for their own areas of interest, in the knowledge of their specific circumstances.*

Furthermore the Scottish Governments "Taxi and Private Hire Car Licensing: Best Practice Guidance for Licensing Authorities" issued in 2012 states:-

Medical Fitness

8.8. *It is common for Scottish licensing authorities to apply the "Group 2" medical standards (applied by DVLA to the licensing of lorry and bus drivers) to applicants for taxi and private hire car drivers' licences. New arrangements are now in place for any person who has insulin-dependent diabetes and wants to be assessed for Group 2 standards. A leaflet from DVLA explaining the recent change and the process which applicants for a Group 2 medical must go through can be accessed on the Directgov website: "A Guide for drivers with Insulin Treated Diabetes who wish to apply for Vocational Entitlement"*

Clackmannanshire Council in applying the above guidance has adopted a level of medical examination to the standard required in terms of the D.V.L.A. Group 2 Medical Standards.

It is important to note that it is expected that a medical practitioner in carrying out the examination will exercise professional judgement in assessing the degree and detail of the examination relative to the duties undertaken by the applicant as a taxi/private hire car driver and that each case will be assessed on its own merit.

Further guidance on driving with a disability or a health condition may be accessed via www.dft.gov.uk/dvla/medical.aspx

The Council's own medical consultants do not believe that there should be any need for the medical practitioner carrying out the examination to routinely refer a matter to the DVLA other than in exceptional circumstances and therefore the medical practitioner will be in the position to fully complete and sign Clackmannanshire Council's Taxi and Private Hire Car medical certificate. The Council does not require to see the results of the medical examination, and simply require the applicant to submit the completed medical certificate signed by the medical practitioner along with the licence application form.

Applicants have been made fully aware that each medical practice may charge a fee for carrying out a medical examination and that any fee charged will be payable by the applicant. I would reiterate that the Council does not expect medical practices to provide this service free of charge as part of their NHS obligation.

The Medical Certificate

The Medical Certificate should be duly completed and signed by both the applicant & the medical practitioner. The applicant should submit the Medical Certificate with the application for a Taxi or Private Hire Car drivers licence. **The Medical Examination Report** completed by the examiner must **NOT** be submitted to the Council.

Medical practitioners should return all Medical Certificates to the Council, covering both "fit" & "unfit" decisions regardless of whether the applicant intends to continue with the application process, to ensure a complete audit trail of the process can be exhibited.

If you require any further information please contact the Licensing Administrator on telephone number 01259 452093 or email address licensing@clacks.gov.uk