

# Licensing FAQ's

## Taxi and Private Hire General

### **1. What is the difference between Hackney Carriage and Private Hire?**

Hackney carriage vehicles (yellow plates) are available for immediate hire, may ply-for-hire, can use designated taxi ranks and can be flagged down in the street. They will have an illuminated roof sign. They have meters fitted and may not charge more than maximum fees agreed by the council.

Private hire vehicles (white plates) can only undertake work pre booked through a licenced operator. They set their own fares at whatever level they choose, customers can agree the fare when making the booking.

Some private hire vehicles may be exempt from the requirement to display the vehicle plate and will have applied for a Section 75 Exemption Certificate at the time of application/renewal. For example Chauffeur services

### **2. I am going on holiday when my licence is due for renewal, what shall I do?**

If you are planning to go on holiday or going abroad when your licence is due for renewal, please inform us by email at [customer.services@westsuffolk.gov.uk](mailto:customer.services@westsuffolk.gov.uk) Depending on the circumstances, you may be required to apply for the renewal of the licence before you leave.

If you go on holiday or abroad without notifying the licensing section, you may be required to apply for a new licence on your return, and will not be able to work until all the documents are received and new licence granted. A licence cannot be renewed if it has already expired.

### **3. I have moved to a new address or have lost my paper licence/I.D. badge/vehicle plate. What do I have to do?**

In accordance with the conditions attached to your drivers/vehicle licence you must inform the licensing department of your new address or loss of licence within 7 days. The fee for changing address and issuing a new licence is £10.50. Replacement exterior vehicle plate fee is £27. Replacement driver badge fee is £20.

You are also advised to return your DVLA driver's licence and any V5 vehicle registration documents to the DVLA for updating.

### **4. How do I make a complaint against a driver?**

All persons wishing to make a complaint should put this in writing to [customer.services@westsuffolk.gov.uk](mailto:customer.services@westsuffolk.gov.uk) If the complaint is of a criminal nature, or a road traffic offence is alleged, you should also report the matter to the police on 101.

### **5. I am a Taxi driver, how do I report an accident?**

Any accident involving a licenced vehicle must be reported to the Council within 72 hours  
[https://www.westsuffolk.gov.uk/Business/Regulation\\_and\\_Licensing/Licensing/Taxi\\_licensing/upload/HCPHAccidentDamage2009.pdf](https://www.westsuffolk.gov.uk/Business/Regulation_and_Licensing/Licensing/Taxi_licensing/upload/HCPHAccidentDamage2009.pdf)

[https://www.westsuffolk.gov.uk/Business/Regulation\\_and\\_Licensing/Licensing/Taxi\\_licensing/upload/Accident-Report-Form-FHDC.pdf](https://www.westsuffolk.gov.uk/Business/Regulation_and_Licensing/Licensing/Taxi_licensing/upload/Accident-Report-Form-FHDC.pdf)

### **6. I would like to apply for a licence to drive a taxi or private hire vehicle, what do I do?**

All of the information on how to apply, the criteria and step by step guidance notes for applicants and the relevant application forms can be found at

[http://www.westsuffolk.gov.uk/Business/Regulation\\_and\\_Licensing/Licensing/index.cfm](http://www.westsuffolk.gov.uk/Business/Regulation_and_Licensing/Licensing/index.cfm) Please read all of the information and documents carefully. If you have any additional questions, please email [customer.services@westsuffolk.gov.uk](mailto:customer.services@westsuffolk.gov.uk)

**7. I already have a taxi or private hire driver's licence with another Council, can I transfer it to West Suffolk?**

No. Licences are not transferrable. You will be required to make a new application. All of the information on how to apply, the criteria for applicants and the relevant application forms can be found at [www.westsuffolk.gov.uk/Business/Regulation\\_and\\_Licensing/Licensing/index.cfm](http://www.westsuffolk.gov.uk/Business/Regulation_and_Licensing/Licensing/index.cfm)

**8. I already have a DBS check, will the Council accept that for me to become a licensed driver?**

If you are applying to West Suffolk for a hackney carriage and/or private hire driver's licence all Enhanced Disclosure and Barring Service checks (DBS) must be less than one month old at time of application.

**9. Will I need a medical before I can drive?**

Medicals are required on first application and remain valid up to the applicant's 45<sup>th</sup> birthday. From the age of 45 the following applies:

Between 45 years and 65 years	Every 5 years (from applicant's own GP)
Over 65 Years	Every year (from applicant's own GP)

**10. I would like to be a driver for school contracts, who do I contact?**

The Passenger Transport Group at Suffolk County Council (SCC) regulate the contracts for schools; tel: 03456 066067

An additional DBS check may be required by SCC before you are listed as an authorised driver.

**11. Will West Suffolk councils accept a driving assessment certificate from another authority?**

The driving assessment must be the equivalent of the Driving Vehicle Standards Agency (DVSA), all of the information on how to apply, the criteria/guidance notes for applicants and the relevant application forms can be found at

[http://www.westsuffolk.gov.uk/Business/Regulation\\_and\\_Licensing/Licensing/index.cfm](http://www.westsuffolk.gov.uk/Business/Regulation_and_Licensing/Licensing/index.cfm) Please read all of the information and documents carefully.

**12. I already have a certificate of good conduct; can I use this for my application for a taxi or private hire driver's licence with West Suffolk councils?**

A certificate of good conduct must be no more than two months old when submitted to this Council. Once submitted, the licensing officer will inspect the document and decide if a new certificate is required. Please read all of the information and documents carefully. If you have any additional questions, please email [customer.services@westsuffolk.gov.uk](mailto:customer.services@westsuffolk.gov.uk)

**13. I would like to transfer a vehicle. What do I need to do?**

If you wish to transfer your vehicle to another driver licensed by West Suffolk Councils, then there are a number of things you will need to have in place before this can happen.

Firstly the owner of the vehicle will need make sure that the V5 registration document (log book) has been transferred over to the new owner. The new owner will need to be in possession of the document at time of transfer, or they will need to have the slip from the V5 and proof of purchase.

They will also need to provide proof of fully comprehensive insurance for the vehicle, and proof of tax of the vehicle, as tax does not remain with the vehicle.

**14. My vehicle will be less than 7 years old when I renew the licence, does it need an inspection?**

All vehicles need to be taxi tested within 2 months prior to the expiry date of the licence.

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**16. I would like to licence a new vehicle, how old can it be?**

For FHDC it must be less than 3yrs and 3 months old for Hackney Carriage and Private Hire vehicle.

For SEBC, a new vehicle to be licenced as a Hackney Carriage (taxi) must be brand new from the date of registration and fully wheelchair accessible. For a Private Hire vehicle, it must be no more than 7 years old from the date of registration, unless exceptional quality standards exemption is applied for and granted. Please speak to a licensing officer about an exemption to the 7 year old rule.

The Council's Policy and Conditions detail what specification the vehicle must meet.

**17. I would like to licence my private car as a private hire vehicle, can I do this?**

Yes, but it must meet the Council's Policy and Conditions which can be found at [www.westsuffolk.gov.uk/Business/Regulation\\_and\\_Licensing/Licensing/index.cfm](http://www.westsuffolk.gov.uk/Business/Regulation_and_Licensing/Licensing/index.cfm)

**18. Can someone without a hackney carriage or private hire driver's licence drive my licensed vehicle?**

No, it is illegal for any person who does not hold the relevant hackney carriage or private hire driver's licence to drive a licensed vehicle. This would also invalidate your motor insurance.

**19. If I remove the plates from my licensed vehicle, can someone without a hackney carriage or private hire driver's licence drive my vehicle?**

No, it is illegal for any person who does not hold the relevant hackney carriage or private hire driver's licence to drive a licensed vehicle. This would also invalidate your motor insurance.

**20. Someone has asked me if they can advertise their business on my vehicle, is this allowed?**

Yes, the Council allows advertising on licensed vehicles (except those that are executive and exempt from the requirement of displaying a large licence plate). The Conditions state that:

18. No advertising is permitted in or on the Vehicle without prior written approval from the Council. Approval will only be considered on receipt of a professional proof/draft of the advertisement.

19. Advertising must not be displayed on the windscreen or passenger windows.

20. Advertisements relating to tobacco, alcohol, gambling, sex, religion or politics will not be approved

**21. Does my vehicle have to carry wheelchairs?**

If you are intending to licence your vehicle as a hackney carriage (taxi), yes. The vehicle must be able to load a wheelchair from the side only unless it has a hydrologic lift at the rear. All drivers of a wheelchair accessible vehicle must have DVSA approved practical assessment and show a current certificate.

A private hire vehicle does not have to be able to carry a wheelchair. However, the Council does encourage this where possible.

**22. What insurance cover is required for a licensed vehicle?**

You must obtain fully comprehensive motor insurance with additional cover for public or private hire use.

**23. What are the fees for the licences?**

Taxi licensing fees can be found at

[www.westsuffolk.gov.uk/Business/Regulation\\_and\\_Licensing/Licensing/index.cfm](http://www.westsuffolk.gov.uk/Business/Regulation_and_Licensing/Licensing/index.cfm)

Please note, that as well as the licence fee, you will have to pay for a DBS check, Medical and theory and practical driving tests, if this is a first time application.

**24. How can I pay?**

Payment can be by card or cheque. Cheques must be made payable to "Forest Heath District Council" or "St Edmundsbury Borough Council" respectively. The council cannot accept cash payments.

**25. What happens when you receive my renewal application?**

All paperwork will be checked on arrival. If anything is missing or incorrect we will contact you. Assuming everything is correct you will hear from us within 14 days, and you will be asked to call into reception to collect your plate. Driver licences will be posted.

**26. I am changing my vehicle, how do I go about it?**

For FHDC the vehicle must be less than 3yrs 3 months old and meet all the Council's requirements. Like for like replacements can be made, for example; 4 seater for another 4 seater, wheelchair accessible vehicle for another wheelchair accessible vehicle.

For SEBC the procedure for putting a replacement vehicle on a private hire vehicle or a Hackney carriage vehicle licence is dependant on the age of the replacement vehicle. For wheelchair accessible Hackneys, they must be no more than 12 months old. For saloon Hackneys, they must be no more than 7 years old, for Private Hire vehicles they must be no more than 7 years old. Older vehicles will be considered if they are applied for under the exceptional quality exemption.

A hackney carriage or private hire vehicle application form should then be completed (available from the website) and it should be submitted with the test certificate, MOT certificate, Insurance certificate (showing appropriate use), a copy of the V5 registration document and the appropriate fee.

**27. How long before renewal date can I have the vehicle tested?**

You can have it tested as soon as you receive the renewal reminder which can be between 4 to 8 weeks prior to expiry.

**28. How do I apply for a medical exemption?**

Medical exemption application forms and guidance notes are available on our website to download [http://www.westsuffolk.gov.uk/Business/Regulation\\_and\\_Licensing/Licensing/Taxi\\_licensing/index.cfm](http://www.westsuffolk.gov.uk/Business/Regulation_and_Licensing/Licensing/Taxi_licensing/index.cfm)

Find the application form in related documents

## **Premises Licences issued under the Licensing Act 2003**

### **29. How do I apply for a Premises Licence?**

The simplest way to apply for a premises licence is by using the online gov.uk website. Further information and relevant forms are available at <https://www.gov.uk/guidance/alcohol-licensing#page-navigation>

### **30. How do I know if I need a Premises Licence?**

Premises Licences are issued under the Licensing Act 2003. Detailed information can be found on the Council's website at <https://www.gov.uk/guidance/alcohol-licensing#page-navigation>

### **31. How do I know what fee to pay?**

The fee for a new premises licence depends on the non-domestic rateable value for the premises. The bands and fees are as follows:

Band	A	B	C	D	E
Non-domestic rateable value	£0 - £4,300	£4,301 - £33,000	£33,001 - £87,000	£87,001 - £125,000	£125,001 and over
Fee	£100	£190	£315	£450	£635

### **32. Is there an annual fee for a Premises Licence?**

Yes, annual fees are also dependent on the non-domestic rateable value for the premises. The bands and fees are as follows:

Band	A	B	C	D	E
Non-domestic rateable value	£0 - £4,300	£4,300 - £33,000	£33,001 - £87,000	£87,001 - £125,000	£125,001 and over
Annual Fee	£70	£180	£295	£320	£350

### **33. I am applying for a new Premises Licence; do I have to display a public notice?**

Yes, the legislation requires a public notice to be displayed at the premises starting the day after you submit your application for a period of 28 days. The notice must be on pale blue paper and in the statutory format. The notice template can be found online at [http://www.westsuffolk.gov.uk/Business/Regulation\\_and\\_Licensing/Licensing/Alcohol\\_and\\_entertainment/premiseslicence.cfm](http://www.westsuffolk.gov.uk/Business/Regulation_and_Licensing/Licensing/Alcohol_and_entertainment/premiseslicence.cfm)

### **34. I need to transfer the premises licence, how do I do this?**

An application to transfer the premises licence must be completed by the new premises licence holder, together with the transfer consent form, signed by the old premises licence holder. The application must be accompanied by the original premises licence and the fee of £23. The application can be made online or forms to download are available at <https://www.gov.uk/government/publications/premises-licence-application-forms> A copy of the application must be sent to Suffolk Constabulary.

### **35. How do I change the named Designated Premises Supervisor (DPS) on the premises licence?**

An application to vary the DPS must be completed by the premises licence holder together with the vary DPS consent form signed by the new DPS. The application must be accompanied by the original premises licence and the fee of £23. The application can be made online or forms to download are available at <https://www.gov.uk/government/publications/designated-premises-supervisor-forms-and-guidance> A copy of the application must be sent to the Suffolk Constabulary.

### **36. I am leaving a premises and wish to remove my name from the premises licence as the DPS**

Please notify us in writing by email: [customer.services@westsuffolk.gov.uk](mailto:customer.services@westsuffolk.gov.uk) with the date that you will be leaving the premises. You must also formally notify the premises licence holder.

## **Temporary Event Notices (TEN) issued under the Licensing Act 2003**

### **37. What is a Temporary Event Notice (TEN)?**

A Temporary Event Notice (TEN) is given by an individual (a premises user) and authorises the premises user to conduct one or more licensable activities at a premises for no more than 168 hours (21 days).

TENs can be used to authorise relatively small-scale ad-hoc events held in or on any premises involving no more than 499 people at any one time, subject to certain restrictions

### **38. Where can I find more information on alcohol and entertainment licencing?**

The Council's website at

[www.westsuffolk.gov.uk/Business/Regulation\\_and\\_Licensing/Licensing/index.cfm](http://www.westsuffolk.gov.uk/Business/Regulation_and_Licensing/Licensing/index.cfm)

### **39. How do I apply for a TEN?**

There are two types of Temporary Event Notices: standard and late. A standard Temporary Event Notice can be given no later than 10 clear working days before the event. A late Temporary Event Notice can be given no later than 5 clear working days before the event.

Section 193 of the Licensing Act 2003 defines "working day" as any day other than a Saturday, a Sunday, Christmas Day, Good Friday, or a day which is a bank holiday under the Banking and Financial Dealings Act 1971 in England and Wales.

### **40. Is there a fee for a TEN?**

Yes, each TEN costs £21 and an application cannot be processed without this payment

### **41. I don't have a personal licence, how many TEN's can I have in a year?**

A non-personal licence holder can have no more than 5 TEN's per calendar year. A personal licence holder can have up to 50.

### **42. My event is in less than 10 working days, can I still submit a TEN?**

Yes, the Licensing Act 2003 allows non-personal licence holders to submit no more than 2 late TEN's per year and a personal licence holder up to 10. A late TEN must be submitted no later than 5 clear working days before the event.

### **43. Can anyone object to a TEN?**

No, only the Police or Environmental Health can object to a TEN where they consider that the planned licensable activities will have a negative impact on the licensing objectives.

### **44. What happens if the Police or Environmental Health object to my TEN?**

When the Police or Environmental Health do object, and if an agreement cannot be reached, a licensing sub-committee hearing will be arranged to make the decision on whether to authorise the notice.

If the Police or Environmental Health object to a late TEN, a counter notice will be issued and the event will be unauthorised. This is due to the lack of time to arrange a licensing sub-committee for decision

## **Personal Licences issued under the Licensing Act 2003**

### **45. How do I change my name/address on my Personal Licence?**

Please return your licence with a covering letter and a fee of £10.50 to the licensing authority who issued it.

### **46. Is there a fee to amend my Personal Licence?**

Yes, the fee is £10.50. Cheques made payable to 'St Edmundsbury Borough Council or Forest Heath District Council' or the issuing authority if not one of these.

### **47. I have lost my Personal Licence, how do I obtain a replacement?**

Please notify us in writing by email to [customer.services@westsuffolk.gov.uk](mailto:customer.services@westsuffolk.gov.uk)

### **48. Is there a fee for a replacement Personal Licence?**

The fee of £10.50 is required for a replacement licence.

### **49. I have moved address outside of the West Suffolk Council district; do I need to change my licence?**

Yes, if you have moved outside of the Council district of where your personal licence was issued, that Council will still be the relevant authority for your personal licence. You must amend your personal licence to confirm your change of address, please see 45.

### **50. Do I need to renew my Personal Licence?**

No, from 1 April 2015 Personal Licences will not need to be renewed. Any Personal Licence with an expiry date will still be valid as the expiry date will no longer be applicable.

## **Street Trading**

### **I would like to apply for a licence to trade in St Edmundsbury, how do I do this?**

St Edmundsbury Council has designated consent streets, where the consent of the Council is required for any form of street trading in those streets. The consent streets are listed at [www.westsuffolk.gov.uk/Business/Regulation\\_and\\_Licensing/Licensing/index.cfm](http://www.westsuffolk.gov.uk/Business/Regulation_and_Licensing/Licensing/index.cfm)

If, where you would like to trade is a consent street, you will be required to submit an application for a street trading permit. However, unless you're trading as part of a larger event, it is Council policy to not issue permits for any of the consent streets.

If you wish to trade as part of the market, or on a street where the market trades (even if on a non-market day) then you will need to contact the Estates Team. The Estates Team also deal with all market related enquiries.

To trade anywhere in Forest Heath District Council area, you will need to apply for Street Trading Consent. Further details at

[http://www.westsuffolk.gov.uk/Business/Regulation\\_and\\_Licensing/Licensing/Street\\_trading/forest\\_heathstreettrading.cfm](http://www.westsuffolk.gov.uk/Business/Regulation_and_Licensing/Licensing/Street_trading/forest_heathstreettrading.cfm)

## **Street Vending (tables and chairs/other items)**

### **I would like to apply for a licence for a street café in St Edmundsbury which entails having tables and chairs outside of my café/restaurant. How do I apply?**

Please refer to our website for an application form. You will need public liability insurance and also consider whether you will need planning permission.

[http://www.westsuffolk.gov.uk/Business/Regulation\\_and\\_Licensing/Licensing/Street\\_trading/street\\_vendingpermit.cfm](http://www.westsuffolk.gov.uk/Business/Regulation_and_Licensing/Licensing/Street_trading/street_vendingpermit.cfm)