

# **TORBAY COUNCIL**

**Please reply to:** Mr Shaun Rackley

Licensing & Public Protection  
Town Hall  
Castle Circus  
Torquay  
Devon  
TQ1 3DR

Hackney Carriage or Private Hire Vehicle  
Proprietors

**My ref:** DBS checks - Vehicles

**Your ref:**

**Telephone:** 01803 208025

**Website:** [www.torbay.gov.uk](http://www.torbay.gov.uk)

**Date:** 08 January 2021

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Dear Sirs,

## **Hackney Carriage or Private Hire Vehicle Proprietors Basic Disclosure and Barring Service check required**

I am writing to inform you that we require a Basic Disclosure & Barring Service (DBS) Check in order for you to renew your Hackney Carriage, or Private Hire vehicle licence which is due to expire on the 30th April 2021.

In July 2020 the Government introduced new statutory standards for Licensing Authorities which related to the taxi industry. One of these new standards requires all vehicle licence holders to have Basic DBS checks, this now forms part of the licensing requirements to hold a vehicle licence with Torbay Council.

If you are currently licensed with us as a driver and are named as a vehicle proprietor, you do not require a Basic DBS as you undergo a higher DBS check by way of an Enhanced check. Basic DBS checks are only required by those named vehicle proprietors that do not hold a driver's licence with this Licensing Authority. This check is to be done annually in line with the renewal of the vehicle licence.

### **WHAT TO DO NEXT**

You require a **Basic Disclosure & Barring Service check**. Please DO NOT apply for a Basic DBS if you currently hold a Licensed Drivers badge with this Local Authority.

You can apply for a Basic DBS online at [www.gov.uk/request-copy-criminal-record](http://www.gov.uk/request-copy-criminal-record) and the cost is £23.

### **PRODUCING THE DBS CHECK**

Once your DBS check has been issued you will need to produce the certificate to the Licensing Department so we can update our records, this will show that you have a valid

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**If you require this in a different format or language, please contact me.**

DBS check in place for renewals.

We are able to accept DBS certificates which have been issued from **January 2021 onwards**, so do not delay in arranging the DBS check. If the certificate is older than this, you will require a new check.

**Upload of DBS:**

The DBS certificate must be uploaded at the following location:-

<https://forms.torbay.gov.uk/DBSUpload>

Please do not send a copy of the DBS in the post, or, by any other method apart from uploading the DBS at the above mentioned web address, as we will be unable to accept it.

Please note, it is the responsibility of the Licence holder to ensure that the DBS check is carried out in sufficient time, produced to the Licensing Department and in place for licensing renewals. Failure to follow any of the mentioned steps, will result in your licence lapsing and a new application having to be made. You will then have to adhere to all other requirements in line with Torbay Council's taxi policy.

If you have any questions relating to the Basic DBS, please view the FAQ's attached to this letter before contacting the Licensing Department, however, I look forward to receiving your updated DBS check in due course.

**Should you need to contact us please quote the reference number above.**

Yours faithfully



Mr Shaun Rackley  
Licensing Officer  
Licensing & Public Protection

*Please note that, apart from personal details subject to the Data Protection Act, information contained in this letter may be divulged to members of the public under the Freedom of Information Act 2000.*

## **Frequently asked question**

### **Why are we making this change?**

These are new statutory standards that the Government has introduced which Licensing Authorities must comply with.

### **I currently hold a Licensed Drivers badge with Torbay Council, do I need a further check?**

No. You have an Enhanced DBS carried out as part of your drivers badge requirements, so there is no need to obtain a further Basic DBS.

### **I hold a Licensed Drivers badge with Torbay Council, the other named person on the vehicle licence doesn't as they are my wife/spouse, do they need a Basic DBS?**

Yes they will require a Basic DBS carried out annually and in time for renewals as they are a joint licence holder. We cannot renew the licence until all named proprietors have a DBS carried out and have returned the documentation to the Licensing Team.

### **What type of criminal records check do I require?**

If you do not hold a Licensed Drivers badge, the minimum requirement is a Basic DBS and this has to have been issued from January 2021. If you decide to obtain an enhanced DBS, this is your choice, however this type of check is not required to simply hold a vehicle licence.

### **How often is the criminal records check required?**

The Basic DBS is required annually and in time for the expiry of the vehicle licence. A new check has to be carried out every year.

### **Do I need to get the Basic DBS carried out straight away?**

Yes. The DBS is required to be in place for when the vehicle licence expires in April 2021 and we will start accepting the Basic DBS from January 2021. If we do not receive the DBS in time for renewals, the licence cannot be renewed.

### **I have had a new Basic DBS carried out, what do I need to do next?**

You need to submit a copy of the Basic DBS certificate at the following location -

<https://forms.torbay.gov.uk/DBSUpload>

### **I've had a Basic/Enhanced DBS carried out for another role that I am involved with, can I use this?**

As long as it is either a Basic or an Enhanced DBS and was issued from January 2021, then yes.

### **What happens if I am named as a joint licence holder and I don't want a basic DBS carried out?**

Unfortunately it is a legal requirement for all vehicle licence holders to have a minimum of a Basic DBS check carried out annually and in time for renewals. If you wish to remove your name from the licence, you will need to carry out a 'Plate Ownership Change' from your online Licensing account, the cost to do this is currently £82.

### **What happens if I live abroad, or have spent an extended period abroad (three or more continuous months)?**

You will need to apply for a Basic DBS for the time spent in this country and in addition to

this, you will need to apply for a 'Certificate of Good Character' from the country of residence. Foreign convictions do not appear on the Police National Computer, hence why the country you reside in will hold possible criminal records information through the 'Certificate of Good Character'.

**What happens if the other named vehicle proprietor is refusing to carry out a Basic DBS check?**

Unfortunately without a Basic DBS check in place for all named vehicle proprietors, we will be unable to renew the licence and it will lapse. You will then need to make a new application and meet Torbay Council's standards as set out in their Taxi Policy. You are able to remove a named person from the vehicle licence by way of a 'Plate Ownership Change' from your online account, however, you will also need their permission as they have to sign a transfer consent form as part of the application process.