

Office of the  
Traffic Commissioner

Contact centre:  
**0300 123 9000\***

web: [www.businesslink.gov.uk/transport](http://www.businesslink.gov.uk/transport)

## **PSV421 : Application to a Traffic Commissioner for a Public Service Vehicle Operator's Licence**

### **About this form**

You must complete this form if you wish to apply for a public service vehicle operator's licence.

If you have not previously held a licence you should make sure that you are familiar with the operator licensing system before submitting your application. The best place to start is by reading the Guide for Operators (PSV437) available at [www.businesslink.gov.uk/transport](http://www.businesslink.gov.uk/transport)

### **Filling in the form**

**You must complete this form in full and include all supporting documents.**

Guidance notes "PSV421G" have been provided to help you to complete this form, and to make sure you provide the correct documentation in support of your application. **You must read these guidance notes.** Many applications are refused or delayed because the traffic commissioner does not receive the required information and documentation.

Use black ink to fill in the form. Answer yes or no questions by putting a tick in the relevant box. If you are selecting an answer from a list of options, tick the box which applies to you.

If you have any further questions about filling in this application form, or a general query regarding operator licensing, please call the contact centre on 0300 123 9000\*

### **What to do next**

Send your completed form, along with the necessary supporting documents and application fee to the traffic commissioner at: The Office of the Traffic Commissioner, The Central Licensing Office, Hillcrest House, 386 Harehills Lane, Leeds, LS9 6NF

### **Data Protection**

The personal information you provide on this form will be used for the purposes of a traffic commissioner's statutory functions. This may include sharing the information you provide with other traffic commissioners, DfT, other government departments and enforcement agencies. Standard licence/application information will also be included in a national register which is available to other Member States. Further information is available from the office of the traffic commissioner.

**Note: it is a criminal offence to give false information in this application.**

## Section 1 - Your contact details (Please read guidance note 1)

1 Please give full details of the person that can be contacted to discuss your application should it be necessary.

Title (Mr, Mrs, Ms, Other)		
First name		
Surname or family name		
Address (please give the details of where you can be contacted for business purposes)*		
	Postcode:	
Contact telephone numbers (inc. STD code)	Business:	Fax:
	Home:	Mobile:
E-mail address		

\*This cannot be a PO Box or third party address and must be an address in Great Britain

### Standard licence applicants only

Please tick the box to confirm that the contact address is also the address of establishment (guidance note 1 provides more information).

☐

If it is not the address of establishment, please provide the address below\*\*.

Postcode:

\*\*This cannot be a PO Box or third party address and must be an address in Great Britain

► **Go to Section 2**

## Section 2 - Your business (Please read guidance note 2)

2 What type of business do you have? (Please tick one box **only** below)

- |   |                          |                   |
|---|--------------------------|-------------------|
| Limited company   | <input type="checkbox"/> | ► Go to Section 3 |
| Limited Liability Partnership (LLP)                       | <input type="checkbox"/> | ► Go to Section 3 |
| Sole trader   | <input type="checkbox"/> | ► Go to Section 4 |
| Partnership   | <input type="checkbox"/> | ► Go to Section 5 |
| Other (e.g. public authority, charity, trust, university) | <input type="checkbox"/> | ► Go to Section 6 |

## Section 3 - Limited company or Limited Liability Partnership (LLP) details (Please read guidance note 3)

**3a)** Please give details below of the company or LLP applying for the licence. These must be the same as the details that are on the Companies House register.

Registered name	
Trading name (if applicable)	
Registered number:	
Registered office address:	
	Postcode:

**3b)** Please give details below of the company directors or LLP board of management. These must be the same as the details that are on the Companies House register.

Title (Mr/Mrs/ Ms/Other)	First name(s)	Surname or family name	Date of birth	Other names by which you have been known since the age of 18

Continue on a separate sheet if necessary

If an LLP please also attach a list of your members

► Go to Section 7

## Section 4 - Sole trader details (Please read guidance note 4)

**4a)** Please give your full details below.

Title (Mr/Mrs/ Ms/Other)	First name(s)	Surname or family name	Date of birth	Other names by which you have been known since the age of 18

**4b)** Please give your trading  
name, if applicable

► **Go to Section 7**

## Section 5 - Partnership details (Please read guidance note 5)

**5a)** Please give details below of the partners in the business. You must include details of all partners, even if they are not primarily responsible for the operation of public service vehicles.

Title (Mr/Mrs/ Ms/Other)	First name(s)	Surname or family name	Date of birth	Other names by which you have been known since the age of 18

Continue on a separate sheet if necessary

**5b)** Please give your trading  
name, if applicable

► **Go to Section 7**

## Section 6 - Other organisation details (Please read guidance note 6)

6a) Please give the details requested below.

Name of organisation

Type of organisation (e.g. public authority, charity, trust, university)

6b) Please give details of the persons responsible for your organisation below.

Title Mr/Mrs/ Ms/Other	First name(s)	Surname or family name	Date of birth	Other names by which you have been known since the age of 18	Position within organisation

Continue on a separate sheet if necessary

► **Go to Section 7**

## Section 7 - Type of licence (Please read guidance note 7)

Please tick one box below to show what type of licence you want.

Restricted

☐

► **Go to Section 8**

Standard National

☐

► **Go to Section 9**

Standard International

☐

► **Go to Section 9**

## Section 8 – Restricted licence applicants – business or main occupation (Please read guidance note 8)

8a) Do you intend to operate vehicles adapted to carry nine to sixteen passengers?

YES ☐

NO ☐

**If YES to go Section 8b)**

**If NO go to Section 10**

8b) Please confirm that you are fully aware of, and will comply with, the restrictions under the terms of the restricted licence for the use of vehicles with between nine and sixteen passenger seats, by ticking the following box. If you are unsure please seek further advice. See guidance note 8 for the restrictions. ☐

Please give details below of your business or main occupation and how you will comply with these restrictions. If you are claiming qualification on the grounds that the operation of these vehicles is not your main occupation please provide further details, including the number of hours worked in your main occupation and how many hours you anticipate working on this transport undertaking should the licence be granted. If your main occupation involves driving

please indicate, on average, how many hours per week you drive. If employed please include your employer's name and address.


Continue on a separate sheet if necessary

► **Go to Section 10**

## **Section 9 - Standard Licence applicants – professional competence** (Please read guidance note 9)

You must have a qualified transport manager (TM) to hold a standard national or standard international licence. The TM must hold a Certificate of Professional Competence (CPC) in Passenger Transport Operations, or equivalent qualification or exemption (see guidance note 9).

For each TM, form TM1 must be completed and sent in with this application. There are guidance notes to help you complete this. You must also provide their **original** Certificates of Professional Competence (CPC) or evidence of qualification(s) giving exemption.

**9a)** Please give details below of the person or persons who will fulfil the role of TM.

Title (Mr/Mrs/ Ms/Other)	First name(s)	Surname or family name	Date of birth	Other names by which you have been known

Continue on a separate sheet if necessary

**9b)** Please tick to confirm that you have completed form TM1 for **all** transport managers listed above and provided their original CPC or other accepted qualifications.

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► **Go to Section 10**

## Section 10 - Operating centre details (Please read guidance note 10)

You must have one or more operating centres where your vehicles will normally be kept. You must ensure that you have enough off-street parking spaces at your operating centre(s) for all of your vehicles.

Please give details below of the place(s) where your vehicles will be parked when not in use. If you have more than two operating centres please give details on a separate sheet.

### Operating centre 1

<b>a)</b> Parking address:	
<hr/>	
<hr/>	
<hr/>	
<hr/>	
Postcode	
<b>b)</b> Number of vehicles to be kept at this address:	<input type="text"/>
<b>c)</b> Total number of parking spaces available to you at this address:	<input type="text"/>
<b>d)</b> Please tick <b>one</b> box below to confirm whether the premises are:	
Owned by you	<input type="checkbox"/>
Leased	<input type="checkbox"/>
Rented	<input type="checkbox"/>
<b>e)</b> If leased or rented, please confirm that you have permission from the site owner to use the premises to park the number of vehicles shown above.	
Yes	<input type="checkbox"/>
No	<input type="checkbox"/>
<b>f)</b> Please provide written permission from the owner of the nominated operating centre giving permission for you to park your vehicles. This must state how many spaces are available to you.	

### Operating centre 2

<b>a)</b> Parking address:	
<hr/>	
<hr/>	
<hr/>	
<hr/>	
Postcode	
<b>b)</b> Number of vehicles to be kept at this address:	<input type="text"/>
<b>c)</b> Total number of parking spaces available to you at this address:	<input type="text"/>
<b>d)</b> Please tick <b>one</b> box below to confirm whether the premises are:	
Owned by you	<input type="checkbox"/>
Leased	<input type="checkbox"/>
Rented	<input type="checkbox"/>
<b>e)</b> If leased or rented, please confirm that you have permission from the site owner to use the premises to park the number of vehicles shown above.	
Yes	<input type="checkbox"/>
No	<input type="checkbox"/>
<b>f)</b> Please provide written permission from the owner of the nominated operating centre giving permission for you to park your vehicles. This must state how many spaces are available to you.	

► Go to Section 11

## Section 11 - Safety inspections (Please read guidance note 11)

**11a)** Please give the proposed maximum number of weeks between safety inspections for the vehicles you intend to operate under your licence.

Type of vehicle (Single decker, double decker, etc)	Maximum time interval between inspections (weeks)

**11b)** Who will carry out the safety inspections on the vehicles you intend to operate under your licence?

Yourself or another employee of the business holding the operator's licence

☐

Give details below

An external contractor

☐

Give details below

Company name or person's full name

Workshop address

Postcode

Telephone number

Facilities available at the workshop (e.g. pits, hoists etc)




**11c)** Please tick to confirm that you have read guidance note 11 and you have suitable arrangements in place to keep the vehicles you wish to use in a fit and serviceable condition at all times, and you have provided a copy of the maintenance contract if you are using an external contractor. ☐

**Remember that the operator is responsible for the condition of vehicles inspected and/or maintained for them by agents or contractors.**

Please refer to the *Guide to Maintaining Roadworthiness*, a copy of which can be obtained from [www.businesslink.gov.uk/transport](http://www.businesslink.gov.uk/transport).

► **Go to Section 12**

## **Section 12 - Financial evidence (Please read guidance note 12)**

**12a)** To help satisfy the traffic commissioner that you are of appropriate financial standing with sufficient resources to maintain your vehicles and run your business, you must provide original evidence of this as detailed at guidance note 12.

Please tick to confirm that you have read guidance note 12 and included the relevant evidence. ☐

**12b) i.** Has any person named in this application (including partners, directors or transport managers) ever been declared bankrupt or had their estate seized or confiscated?

Yes

☐

No

☐

**ii.** Has any person named in this application (including partners, directors or transport managers) ever been involved with a company, or business, that has gone into (or is going into) liquidation, owing money?

Yes

☐

No

☐

**iii.** Has any person named in this application (including partners, directors or transport managers) ever been involved with a company, or business, that has gone into (or is going into) receivership?

Yes

☐

No

☐

**iv.** Has any person named in this application (including partners, directors or transport managers) ever been involved with a company, or business, that has gone into (or is going into) administration?

Yes

☐

No

☐

**v.** Have you, or have any of your partners, directors, majority shareholders or your transport manager ever been disqualified from acting as a director of a company or from taking part in the management of a company?

Yes

☐

No

☐

► If you answered No to **all** five parts of Question 12b, please go to Question 12c (on page

10).

**Section 12 continues on the next page.**

If you answered Yes to **any** part of Question 12b, you must provide additional information with your application. Details of what to provide are given in guidance note 12b)

Please tick to confirm you have read guidance note 12b and provided the relevant information.

☐

**12c) Insolvency**

Please tick to confirm that you are aware that you must inform the traffic commissioner immediately of any insolvency proceedings that occur between the submission of your application and a decision being made on the application.

☐

► **Go to Section 13**

**Section 13 - Previous licence history (Please read guidance note 13)**

**For each question below you must include details of any licences in which any person named in this application is also named as a sole trader, partner, director, member or transport manager.**

Please continue on a separate sheet if necessary when answering the following questions.

**13a)** Does any person named in this application (including partners, directors and transport managers) currently hold a goods or public service vehicle operator's licence in **any** traffic area?

No ☐ ► **Go to 13b**

Yes ☐ **Give details below**

Licence number	Name of licence holder	Will this licence be surrendered if this application is granted?			
		Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
		Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

**13b)** Has any person named in this application (including partners, directors and transport managers) previously held or applied for a goods or public service vehicle operator's licence in **any** traffic area?

No ☐ ► **Go to 13c**

Yes ☐ **Give details below**

Licence number	Name of licence holder

Licence number	Name of licence holder

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**13c)** Has any person named in this application (including partners, directors and transport managers) ever had an application for a goods or public service vehicle operator's licence or similar authorisation refused by any EU licensing authority?

No ☐ ► **Go to 13d**

Yes ☐ **Give details below**

Licence number	Name of licence holder

Licence number	Name of licence holder

**13d)** Has any person named in this application (including partners, directors and transport managers) ever been involved with a goods or public service vehicle operator's licence issued by a traffic commissioner or similar authorisation issued by another EU Member State which has been revoked, suspended or had any other action taken against it?

No ☐ ► **Go to 13e**

Yes ☐ **Give details below**

Licence number	Name of licence holder

Licence number	Name of licence holder

**13e)** Has any person named in this application (including partners, directors and transport managers) ever been called to a public inquiry before a traffic commissioner?

No ☐ ► **Go to 13f)**

Yes ☐ **Give details below**

Licence number	Name of licence holder

Licence number	Name of licence holder

**13f)** Has any person named in this application (including partners, directors and transport managers) been disqualified from holding or obtaining an operator's licence by any traffic commissioner or similar authorisation in any other EU Member State?

No ☐ **► Go to 13g** Yes ☐ **Give details below**

Licence number	Name of licence holder	Date and length of disqualification

**13g)** Within the last twelve months have you, your company or organisation or your partners or directors purchased the assets or shareholding of any company that, to your knowledge, currently holds or has previously held an operator's licence in any traffic area?

No ☐ Yes ☐ **Give details below**

Name of licence holder	Licence number	Date of purchase (DD/MM/YY)	Was the traffic commissioner notified? (Yes/No)

If the traffic commissioner was not notified please provide a written explanation as to why the traffic commissioner was not informed of the purchase of the assets or shareholding.

**► Go to Section 14**

## **Section 14 - Convictions and penalties (Please read guidance note 14)**

**You should read guidance note 14 carefully before answering the questions in this section.**

You must declare all relevant convictions and penalties on this form.

You are reminded that it is a criminal offence to make a false declaration on this application.

**14a)** Has any person named in this application (including partners, directors and transport managers); any company of which a person named on this application is or has been a director; any parent company if you are a limited company; or any of your employees or agents been convicted of any relevant offence which must be declared to the traffic commissioner?

No ☐

► **Go to 14b**

Yes ☐

**Give details below**

Name (in full)	Date of conviction/penalty	Offence	Name of court	Penalty

Continue on a separate sheet if necessary

► **Section 14a) continues on the next page**

You should also provide full details of the background circumstances of any convictions and penalties declared on a separate piece of paper.

#### **14b) New convictions**

Please tick to confirm that you are aware that you must inform the traffic commissioner immediately of any relevant convictions that occur between the submission of your application and a decision being made on the application

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► **Go to Section 15**

## **Section 15 Vehicle information and additional undertakings**

**15a )** Please indicate the number of each category of vehicle you intend to operate under the licence

**A – small vehicles, less than 9 passenger seats**

**B – 9 – 16 passenger seats**

**C – 17 or more passenger seats**

How many vehicles do you have now?			How many vehicles do you require to be authorised on the licence should it be granted?		
<b>A</b>	<b>B</b>	<b>C</b>	<b>A</b>	<b>B</b>	<b>C</b>

### **Restricted and standard international licence applicants only – Community licences -**

Please indicate how many Community licences you require

### **All applicants**

If you do not intend operating small vehicles (Category A above) please go to section 15e on page 16.

If you intend to operate small vehicles (Category A above) please go to the next section as indicated below:-.

**If you are an operator in an English or the Welsh traffic area please go to section 15b.**

**If you are an operator in the Scottish Traffic Area please go to section 15c on page 15**

### **15b) English and Welsh operators only**

If you intend to operate small vehicles will this be as a small part of a large bus business as detailed by Section 79A of the Public Passenger Vehicles Act (as amended by Section 265 of the Transport Act 2000)?

**YES**

☐

**NO**

☐

**If No ► Go to 15c**

If Yes, please give details of how you comply with the 'small part of the business' requirements in the box below and go to Section 15f on page 17.

**► go to Section 15f on page 17**

**Continue on a separate sheet if necessary**

**15c) Operating small vehicles – Scottish operators and English and Welsh operators not claiming the exemption under 79A of the Public Passenger Vehicles Act 1981 (as amended)**

Please give full details in the box below how you will satisfy the requirement to charge separate fares and detail which of the two conditions you will meet. See Guidance Note 15c.

**Condition 1:** The passengers must have been brought together for the purposes of making the journey by the driver or owner of the vehicle or by some other intermediary who is paid for. In addition each journey must have been advertised to the public, so as to create a *genuine* opportunity for members of the public to be carried *on the particular journey in question, i.e.* the journey is not an exclusive hiring for an individual or group, notwithstanding that separate fares are paid. Advertisement at a place of worship, a place of work, a club or other voluntary association for the information of people present at those places, or in periodicals circulated wholly or mainly among such persons, does not count as advertisement to the general public. Finally, in the event that there are multiple destinations, there should be differentiation of fares for the journey based on distance or time.

**Condition 2:** The making of the agreement for the payment of separate fares must have been initiated by the driver or owner of the vehicle, or by some other intermediary who is paid for doing so – not by the passengers themselves, or any other party. In addition, as in condition 1, each journey must be advertised to the public beforehand as being open to passengers to be carried at separate fares.

► Go to Section 15d on page 16

### 15d) Small vehicle undertakings

Do you agree to the following undertakings being specified on your licence (if granted)?

- (a) The operator will advise the traffic commissioner of the make, model and registration number of vehicles used under that licence, and will advise of any changes.
- (b) In respect of any vehicle with eight or less passengers seats used under the licence, the operator will provide an audit trail to the traffic commissioner or any enforcement body on request, that demonstrates compliance with PSV requirements. This includes paperwork as to how in respect of any service separate fares were paid and one of the two conditions set out in Question 1 were met. Note this undertaking does not apply when the vehicle is being used under the provisions of Section 79A.
- (c) Each small vehicle to be used under the licence will have a V5C registration certificate, and the operator must possess and produce, when asked to do so, a document confirming this.
- (d) Each small vehicle will receive a full safety inspection (maximum every 10 weeks) in premises suitable for the vehicle to ensure that its roadworthiness is maintained. Records of all inspections must be kept in accordance with the *Guide to Maintaining Roadworthiness*.
- (e) At no time will the small vehicle carry more than eight passengers.
- (f) The operator will at all times comply with the legislation in respect of the charging of separate fares and retain 12 months' evidence of this compliance for each journey.
- (g) Drivers of small vehicles will carry with them documentary evidence that separate fares have been charged for the current journey.
- (h) The operator will not use a vehicle that does not meet the ECWVTA standards, British construction and use requirements or the Road Vehicles Approval Regulations 2009 (as amended).
- (i) The operator or driver will not break the alcohol laws.

YES ☐

NO ☐

► Go to 15f on page 17

### 15e) Vehicles with nine or more passenger seats

If you only intend to use vehicles with nine or more passenger seats under this licence (if granted) do you agree to the following undertaking being specified on the licence?

Vehicles with eight passenger seats or less will not be operated under the licence without the prior written agreement of the traffic commissioner who may require you to agree to certain undertakings.

YES ☐

NO ☐

► Go to 15f on page 17



**15f) Limousine and novelty type vehicles**

Are the vehicles to be used limousine or novelty type vehicles?

YES ☐

NO ☐

If YES ► Go to 15g

If NO do you agree to the following additional undertaking being specified on your licence (if granted)?

**Limousines and novelty type vehicles are not to be operated under this operator's licence**

YES ☐

NO ☐

► Go to Section 16

**15g)** If you intend to operate limousines or novelty type vehicles which have nine passenger seats or more do you agree to the following additional undertaking to be specified on your licence, if granted?

**Only limousines and novelty type vehicles with nine passenger seats or more and issued with a valid Certificate will be used under the licence** See guidance note 15g

YES ☐

NO ☐

► Go to Section 16

## Section 16 - Undertakings and declaration (Please read guidance note 16)

**I understand that by signing the application I am accepting the undertakings below; that they will be recorded on the licence; that failure to comply with the conditions or undertakings recorded on the licence may result in the licence being revoked, suspended or curtailed; and that failure to comply with these conditions is also a criminal offence.**

- The laws relating to the driving and operation of vehicles used under this licence are observed;
- The rules on drivers' hours and tachographs are observed, proper records are kept and that these are made available on request;
- Vehicles do not carry more than the permitted number of passengers;
- Vehicles operate within speed limits;
- Vehicles, including hired vehicles and, are kept in a fit and serviceable condition;
- Drivers report promptly any defects or symptoms of defects that could prevent the safe operation of vehicles, and that any defects are recorded in writing;
- Records are kept (for 15 months) of all driver reports which record defects, all safety inspections, routine maintenance and repairs to vehicles, and that these are made available on request;
- Furthermore, I will notify the traffic commissioner of any convictions against myself, or the company, business partner(s), the company directors, nominated transport manager(s) named in this application, or employees or agents of the applicant for this licence and, if the licence is issued, convictions against the licence holder or employees or agents of the licence holder;
- I will ensure that the traffic commissioner is notified within 28 days of any other changes, for example a change to the proposed maintenance arrangements; a change in the financial status of the licence holder (e.g. if placed in liquidation or receivership), or a change to Limited Company status or partnership, that might affect the licence, if issued.

### **Applications for standard licences only**

I undertake to have a formal arrangement in place for access at all times to at least one public service vehicle registered or in circulation in Great Britain. I will either provide details of a vehicle wholly owned by me and to be used under the licence or by demonstrating on request that I have access to a vehicle under a hire-purchase, hire/leasing agreement or other type of formal arrangement.

**I declare that the statements made in this application are true and that all supporting evidence supplied with regard to my application is correct. I understand that it is an offence to make a false declaration.**

Your full name in block capitals

Signed

Dated

Position in business – please tick **one** below. Make sure you have read guidance note 16.

Owner

☐

Partner

☐

Director

☐☐

Delegated officer of any other organisation  
(as detailed in Section 6 of the application) ☐

► **Go to Section 17**

## **Section 17 - Payment details (Please read guidance note 17)**

Your payment details will not be held for any longer than required for the purpose of paying the application fee.

The application fee is non-refundable and is payable in full when you send in your application. Your application will be returned and considered at this time if this fee is not included.

Do not send any other fee other than the application fee at this stage. You will be notified if any additional fees become payable.

Details of the current fees may be found on our website at [www.businesslink.gov.uk/transport](http://www.businesslink.gov.uk/transport)

17a) How are you paying the fee required for this application? (Please tick one)

Cheque/postal order ☐

► **Go to Section 18**

Credit/debit card ☐

► **Give details below**

I here by authorise VOSA to take the sum of £  from my account, the details of which are listed below, in respect of my application for a Public Service Vehicle Operator's Licence.

**Type of card** (please tick one)

Mastercard ☐

Visa ☐

Visa Debit / Delta ☐

Maestro ☐

Name of cardholder (exactly  
as it appears on the card)

**Full Card Number**

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**Expiry date**

Month:

Year:

**Issue number** (Maestro only)

--	--	--

**Start date** (Maestro only)

Month:

Year:

**Card security number\***

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\*Your card security number is displayed at the end of the signature strip on the back of the card. Please enter the last three digits.

**Signature of cardholder**

**Your payment details will not be held for any longer than required for the purpose of**

paying the application fee. If you are sending your credit/debit card details by post you should consider using a secure method.

► **Go to Section 18**

► **Go to Section 18 on next page**

## Section 18 – Checklist (Please read guidance note 18)

Before you return this form you must make sure that your application is complete and contains all relevant documentary evidence. You must use the following checklist to confirm that you have provided all the necessary evidence.

**If you do not send all the information we need this will lead to a significant delay in the application, or your application may be refused.**

### All applicants must supply the following information

Please tick to confirm the following:

- I have completed all applicable questions on this form. ☐
- I have checked that the declaration is signed and dated by an authorised person. ☐
- I have provided **original** financial evidence in accordance with Section 12 and guidance note 12. I understand that photocopies are not acceptable. ☐
- I have enclosed a cheque or provided payment details to cover the application fee and I understand that this fee will not be returned to me even if my application is withdrawn or refused. ☐
- I have enclosed vehicle inspection sheets ☐
- I have enclosed written permission to park vehicles at the operating centre(s) (if applicable) ☐

### All applicants for **Standard National or International** licences must supply the following information

Please tick to confirm the following:

- I have enclosed **original** Certificate(s) of Professional Competence in Passenger Transport Operations or evidence of qualification(s) giving exemption, for **all** transport managers listed on my application. ☐
- I have enclosed completed and signed TM1 forms for **all** transport managers listed on my application. ☐

### You **may** need to supply the following information depending on your answers to questions 11b), 12b) and 14a)

Depending on your answers to these questions further information may be required for some applicants. Please read carefully.

Please tick to confirm the following:

- I answered question 11b) by stating that an external contractor would carry out the safety inspections for this licence and I have enclosed a copy of the maintenance contract with that contractor. ☐

- I answered 'Yes' to part of question 12b) and I have enclosed the relevant documentary evidence of the relevant insolvency history.
- I answered 'Yes' to question 14a) and I have enclosed full details of the background circumstances of all convictions declared.

☐  
☐

## Office of the Traffic Commissioner

## PSV421: Annex A Current financial levels

The traffic commissioner must be satisfied that you have sufficient financial resources to maintain your vehicles properly and, in the case of applicants for a standard licence, to run your business. This is a continuing requirement and traffic commissioners may check at any time to ensure that the requirements are being met.

Advice on what evidence you must provide to show this is given in guidance note 12 of the PSV421G guidance notes.

From 1 January 2012 rates for financial standing will be calculated on an annual basis, rather than once every five years to ensure that it keeps pace with the exchange rate. It will be for operators to ensure that they continue to meet the revised rate and demonstrate this when either new applications are made or when requested to do so by a traffic commissioner, for example at five year continuation intervals.

The traffic commissioner will measure the evidence against the current financial levels required for a licence. These are:

effect from 1 January 2012)	(With	Minimum financial level requirement
<b>Standard National and Standard International Licences</b>		
a. First Vehicle		£7,700
b. Each additional vehicle		£4,200
<b>Restricted Licences</b>		
a. First vehicle		£3,100
b. Each additional vehicle		£1,700

### Example:

A Standard International application for two vehicles.

One vehicle at £7,700 and additional vehicle at £4,200 = £11,900 minimum financial requirement.

Office of the  
Traffic Commissioner

**PSV421: Annex B**  
**Scale of fees**

**PSV Operator Licensing**  
**Scale of Fees from 1 April 2010**

Application fee for a standard licence	£235
Application fee for a restricted licence	£155
Application fee for the variation of a licence	£119

**All fees are non-refundable**

**PAYMENT OPTIONS**

Fees can be paid by credit/debit card or cheque/postal order.

**Please note that**, for administrative purposes, payments are made into a central fund and cheques and postal orders should be **made payable to “Vehicle and Operator Services Agency”** and sent to the address below but that the application is dealt with and determined by the traffic commissioner:

The Office of the Traffic Commissioner  
The Central Licensing Office  
Hillcrest House  
386 Harehills Lane  
Leeds  
LS9 6NF

**Please do not send cash**

You can pay operator licence fees for issued licenses online.

**HOW TO REGISTER AS A SELF SERVICE USER**

Visit the website [www.businesslink.gov.uk/transport](http://www.businesslink.gov.uk/transport), and then select **“Vehicle operator licensing self-service”** from the right hand side followed by **“Start using the self-service system”**. Select **“Register”** on the next screen and follow the on-screen instructions. You must ensure that you remember your “memorable word” as, without this, you will be unable to log on to conduct any subsequent on-line processing.

Your user ID will be e-mailed to you immediately, with your security password posted to you separately.

Having successfully registered, as well as paying your licence related fees on-line, you will also be able to conduct a range of other self-service processes on your licence, including vehicle changes. Using this facility will speed up the processing of these transactions, ensuring that any resulting licence documentation (such as vehicle identity discs) reach you far earlier than if you conduct them by post and the service is usually available 24 hours a day, 7 days a week.

# Office of the Traffic Commissioner

# PSV421: Annex C Maintenance contract

## Agreement between the operator and a garage or agent for safety inspections and / or repair of vehicles and trailers subject to operator licensing

The Agreement is made the  day of  20  between

a.  ('the operator'), whose address / registered office is:  
  
 of the one part, and

b.  ('the contractor'), whose address / registered office is:  
  
 of the other part.

1. **The contractor agrees** that he / it will, in relation to every vehicle mentioned in the Schedule below, on every occasion when that vehicle is submitted by the operator as mentioned in Article 2 below on or after the date of this Agreement -

- a. inspect all the items specified in the maintenance record in the form for the time being approved by the Department for Transport which relate to the vehicle;
- b. if the operator so consents, carry out such renewals and repairs as may be necessary to ensure that the vehicle and every part of it specified in that maintenance record is in good working order and complies with every statutory requirement applying to it; and
- c. complete that maintenance record to show -
  - (i) which items were in good working order and complied with the relevant statutory requirements when the vehicle was submitted;
  - (ii) which (if any) items were not in good working order or failed to comply with those requirements when the vehicle was submitted but have been replaced or repaired so that those requirements are satisfied; and
  - (iii) which (if any) items were not in good working order or failed to comply with those requirements when the vehicle was submitted and which have not been so replaced or repaired.
- d. provide the operator with a copy of every completed maintenance record.

2. **The operator agrees** that he / it will -

- a. submit to the contractor each vehicle mentioned in the Schedule below in order that the contractor may, as regards that vehicle, comply with the provisions of Article 1 above -
  - (i) within  weeks of the Agreement, and, thereafter;
  - (ii) within  weeks of the date of the last safety inspection.
- b. pay to the contractor such reasonable charges as the contractor may make pursuant to his / its obligations under Article 1 above; and
- c. retain, and make available for inspection by an officer mentioned in Section 42 of the Goods Vehicles (Licensing of Operators) Act 1995 or Public Passenger Vehicles Act 1981, every maintenance record mentioned in Article 1 above for a period of at least 15 months commencing with the date of its issue.

3. **This Agreement** may be ended by either party giving the other  months written notice of his /its intention to end it.

**As witness (etc)**  
*Signature(s), or seal, of operator*

*Signature(s), or seal, of contractor*

Please ensure that the form is FULLY completed at sections (a) (b), 2 (i) (ii) and 3.  
Please also ensure that it is signed by BOTH parties and the date is noted at the head of the form.



# PSV421G: Guidance notes to help you complete your application for a Public Service Vehicle Operator's Licence

You can help the traffic commissioner make a decision on your application as quickly as possible by completing the application form correctly and submitting the correct supporting documents. You should use these guidance notes to help you to do this.

You must read the information in these guidance notes when completing the application form.

## How to use these notes

These notes are in sections in the same way as the application form, to make it easier for you to find the right information. For example guidance note 1 refers to Section 1 on the application form and there is a guidance note which corresponds to each question on the application form. The notes describe what you need to tell us and also give details of any supporting documents that you must send with the form.

## Further information

The guidance notes only contain the information necessary for you to complete the form. For general information on public service vehicle (PSV) operator licensing, including further details as to the obligations every licence holder is expected to meet, you should read our Guide for Operators (PSV437) which is available at [www.businesslink.gov.uk/transport](http://www.businesslink.gov.uk/transport). It is important that you understand the responsibilities of being a PSV Operator before you apply for a licence, as you will be required to meet your obligations immediately if your licence is granted.

If, after reading these notes and the guidebook you are still not sure how to complete any part of this form or what supporting evidence is required, please call the contact centre on 0300 123 9000 for advice, **before** you submit your application.

## Guidance note 1 – Your contact details

- 1a) Once you have submitted your application, it may be necessary to contact you to discuss it or to obtain further information. You must therefore provide details of who can be contacted for this purpose and how they can be reached. The applicant should ensure

that the person listed will be contactable during the weeks after your application has been submitted. If further information is required and you cannot be contacted, your application will be refused.

Please note that these details will be used to contact you about your licence if your application is successful. You should inform the traffic commissioner immediately of any changes to your contact information. The address cannot be a PO Box or third party address and must be an address in Great Britain

### **Standard licence applications – address of establishment**

If you are applying for a standard national or standard international licence you are required to have an establishment in Great Britain (GB) where you will keep your core business documents, in particular your accounting documents, personnel management documents, documents containing any data relating to driving time and rest and any other document to which the traffic commissioner must have access in order to verify compliance with the legislation. This may be different from your contact address. It may not, however, be a PO Box address or third party address.

## **Guidance note 2 – Your business**

- 2a)** Please tick one box only to let us know what type of business you have. This business entity is the applicant and should be the operator of the vehicles to be authorised under the licence. The operator is deemed to be:
- The driver if the driver is also the owner of the vehicle; and,
  - In any other case, the person for whom the driver works (whether under a contract of employment or any other description of contract personally to do work).

Where the vehicle is the subject of an agreement to hire, hire-purchase, conditional sale or loan, the owner is the person who has possession of the vehicle under that agreement.

An operator's licence is not transferrable from one business entity to another. For example, if you obtain a licence as a sole trader and then later become a partnership, you would have to apply for a new licence as a partnership.

## **Guidance note 3 – Limited company or Limited Liability Partnership (LLP) details**

**You should only complete section 3 of the application form if you are a limited company or LLP.**

- 3a)** You must provide details of the company or LLP applying for the licence. You must ensure that these details are the same as those on the Companies House register. **Trading name:** A trading name must be provided if the limited company trades under a different name from that incorporated with Companies House but the trading name **cannot** be another limited company.
- 3b)** Include details of all company directors if a limited company, or the board of management if an LLP. If there is not enough space to list all the directors or the board on the form you must provide the details requested on a separate sheet, clearly marked with the question number.

Additionally, if an LLP please attach a list of all your members on a separate sheet, clearly marked with the question number.

## **Guidance note 4 – Sole trader details**

**You should only complete section 4 of the application form if you are a sole trader.**

- 4a)** Please include your full details as requested.
- 4b)** You do not need to provide a trading name, but if you have one you should give the details here.

## **Guidance note 5 – Partnership details**

**You should only complete section 5 of the application form if your business is a partnership. Please note that this section is not to be completed by LLPs – please refer to guidance note 3 if you are a Limited Liability Partnership**

- 5a)** Please give details of all partners. If there is not enough space to list all the partners on the form you must provide the details requested on a separate sheet, clearly marked with the question number.

Note: In a partnership, each partner is jointly (together) and severally (individually) liable for the acts of the partnership. Compliance with an operator's licence is therefore the responsibility of all the partners and you must ensure that you provide details of **every** partner of the business.

- 5b)** You do not need to provide a trading name, but if you have one you should give the details here.

## **Guidance note 6 – Other organisation details**

**You should only complete section 6 of the application form if you are an organisation which is not a sole trader, partnership, LLP or limited company.**

- 6a)** Please give the details of the official name of your organisation and state what type of organisation it is.
- 6b)** Please give details of the persons responsible for your organisation. This is the person or group of people with the controlling influence over the organisation, for example the board of directors, board of trustees, governing body or persons or the chief executive.

If there is not enough space to list all the persons responsible for your organisation on the form you must provide the details requested on a separate sheet, clearly marked with the question number.

## **Guidance note 7 – Type of licence**

- 7a)** You must specify which type of licence you require\*\*. You must ensure that you only tick one box. The three types of operator licence are as follows.

## **Restricted**

A restricted licence authorises the use (whether on national or international operations) of:-

PSVs with eight or fewer passenger seat (small vehicles\*); and

PSVs adapted to carry nine to sixteen passengers when used

- (i) not in the course of a business of carrying passengers; or
- (ii) where the operator's main occupation is not the operation of PSVs which can carry more than eight passengers

The maximum number of vehicles that may be authorised under a restricted licence is two. (NB this limit does not apply to the Post Office).

## **Standard licence**

You will need to apply for a standard licence if:

- You wish to operate more than two vehicles; or
- You wish to operate vehicles which can carry 17 or more passengers; or
- You wish to operate vehicles adapted to carry nine to sixteen passengers and this is your main occupation or business.

A standard licence may authorise the use of vehicles of small vehicles\*.

A standard national licence is required if you wish to operate solely within the United Kingdom.

Note: although the statutory provisions of operator licensing apply only to Great Britain, Northern Ireland falls within the scope of national licence journeys, whereas the Irish Republic does not.

A standard international licence is required if you wish to operate abroad as well as within the United Kingdom.

### **\*Small vehicles**

There are certain conditions that must be met in order to use a small vehicle under a PSV operator's licence. These are set out in Annex 1 to these guidance notes.

**\*\***Whilst regulation 5 of the Road Transport Operator Regulations 2011 makes clear that a standard licence granted under the Public Passenger Vehicles Act 1981 or the Goods Vehicles (Licensing of Operators) Act 1995 constitutes an authorisation to pursue the occupation of road passenger or haulage operator (as applicable) for the purposes of EU Regulation 1071/2009, references to national and international standard licences are included above for transitional purposes.

## **Guidance note 8 – Restricted licence applicants - main occupation or business**

Vehicles with nine to sixteen passenger seats may be used under a restricted licence as long as the operation of these vehicles is not your main occupation or they are not used

in the course of a passenger transport business e.g. they could be used in connection with a hotel business.

Should you wish to operate vehicles which can carry nine to sixteen passengers you must give details of your business or main occupation at 8b).

If you intend to operate small vehicles please ensure that you read the conditions that apply, at Annex 1.

## **Guidance note 9 - Standard licence applicants – professional competence**

**You should only complete Section 9 of the application form if you are applying for a standard national or standard international licence.**

You must employ one or more persons who will act as the transport manager(s) on your licence. They are responsible for the continuous and effective control of the management of the transport operations of the business.

### **Qualifications**

Your transport manager(s) must hold one of the following:

- A certificate of professional competence (CPC) in Passenger Transport Operations
- An “acquired rights” certificate (which replaced ‘grandfather rights’) issued by the Department for Transport after 26<sup>th</sup> September 2011.
- A qualification recognised as equivalent to the CPC such as membership by examination of the Chartered Institute of Logistics and Transport. A full list of these equivalent qualifications is provided in Appendix 4 of the Guide for Operators (PSV437) available at [www.businesslink.gov.uk/transport](http://www.businesslink.gov.uk/transport)

You must provide the **original** certificate(s) of qualification, for each transport manager you wish to specify on your licence, with your application.

### **Time spent in role of transport manager**

The statutory guidance documents give a broad guideline as to what might be expected in terms of hours worked by a transport manager relative to the number of vehicles specified on a licence. Please note that this is a starting point only and the traffic commissioner will consider each case on its own facts and its own merits.

<b>Vehicles</b>	<b>Guideline Hours (per week)</b>
2 or less	8
3 to 5	15
6 to 10	20
11 to 14	25
15 to 29	Full time
30 and above	Additional assistance required

If your transport manager(s) will not be devoting the amount of time to your licence as shown in the table above, you should provide a written explanation from them as to how they will carry out all their responsibilities effectively in the time allocated. This should include details such as what systems they have in place, how often they intend to visit each operating centre and the hours per week they will devote to each operator, who checks tachographs and where records are kept, and whether they have any other employees to help them.

- 9a)** Please give details of the people you wish to specify as transport managers on your licence. If there is not enough space to list all the transport managers on the form you must provide the details requested on a separate sheet, clearly marked with the question number.
- 9b)** You must provide the following for each person named as a transport manager on your application, even if you are a sole trader who is also the transport manager, or you are one of the named partners or directors on the application:
- a completed form TM1, available in your application pack or at [www.dft.gov.uk/vosa](http://www.dft.gov.uk/vosa)
  - original proof of qualification(s) as stated in the above guidance

## Guidance note 10 – Operating centre details

When choosing an operating centre you should make sure that there is sufficient space to park all your vehicles when they are not in use, even if all vehicles will not be in the operating centre at the same time. You should also make sure that you can enter and exit the site safely and that visibility is clear in each direction.

In addition to your application for an operator's licence, you should check that your proposed operating centre meets the requirements of planning law. **If you are unsure, contact your local planning authority.** Authorisation to use an operating centre under an operator's licence does not convey any approval under planning law and using the operating centre without the correct planning approval may lead to enforcement action by the planning authority.

- 10a)** Please give the address at which you will be parking the vehicles. It is essential that you use the full and accurate address of any operating centre which must include a postcode and should also include a unit number if one exists.
- 10b)** Please give the **total** number of vehicles which you wish to keep at your proposed operating centre(s). If you are applying for a margin for future expansion please ensure that you include this within the total.
- 10c)** Please give the total number of off-street parking spaces available to you for parking your vehicles.
- 10d)** Please tick a box to confirm whether you own, lease or rent the premises at which you wish to keep vehicles.
- 10e)** You must have permission from the owner of the premises at which you wish to park if you do not own the site.
- 10f)** You must supply written confirmation of the permission to use the site and this must state the number of spaces available to you.

## Guidance note 11 – Safety inspections

You must satisfy the traffic commissioner that you will keep your vehicles in a fit and serviceable condition. It is your responsibility as operator to ensure that:-

- you meet this requirement at all times.
- daily walk round checks are carried out, as well as regular safety inspections.
- any necessary maintenance work is carried out as soon as you become aware of a problem.

You may carry out the safety inspections and maintenance work yourself if you employ someone who is suitably qualified and you have adequate facilities available, or you may contract this work out to a third party. If you contract the work out you should have a formal contract in place with them and you must provide a copy of this contract with your application. A sample contract is provided in your application pack at Annex C. If you will be contracting this work out to more than one person or company then you must provide a maintenance contract for each one.

The *Guide to Maintaining Roadworthiness*, available from [www.businesslink.gov.uk/transport](http://www.businesslink.gov.uk/transport), explains the responsibilities and systems involved in maintaining vehicles in a roadworthy condition, and gives information setting out the specific standards for inspections, checks and the monitoring of maintenance arrangements. You are strongly advised to read this document.

You may also seek advice from trade associations or from VOSA examiners by calling the contact centre on 0300 123 9000.

- 11a)** You should enter the maximum number of weeks between safety inspections for vehicles. This should not exceed 13 weeks. You may choose to have safety inspections for some vehicles more often than others but you must not exceed the maximum number of weeks stated for any vehicle. For example if you have some vehicles inspected at 6 weeks and some at 8 weeks, put down 8 weeks.

Guidance on the length of time between safety inspections is available in Annex 4 of *The Guide To Maintaining Roadworthiness*.

- 11b)** You should give details of who will carry out the safety inspections on the vehicles you intend to operate and where this will take place. If this will be carried out by more than one garage please provide details on a separate sheet.
- 11c)** You must ensure that you are aware of the standards for maintenance and have put suitable maintenance arrangements in place, whether you will be inspecting and maintaining your own vehicles or contracting the work out.

If you are granted a licence a VOSA vehicle examiner may visit you to check your maintenance arrangements and vehicles. You will also be required to present your vehicles for annual vehicle testing. If at any time your vehicles are found not to be in a fit and serviceable condition then your licence may be at risk.

If a third party will be carrying out either the safety inspections on your vehicles, or any maintenance work required, or both, you must put a contract in place, using the sample contract from your application pack as a guide. This should be signed by both yourself and the contractor. You **must** provide a copy of the contract with your application. If you will be contracting this work out to more than one person or company then you must provide a maintenance contract for each one.

## Guidance note 12 – Financial evidence

- 12a)** The traffic commissioner must be satisfied that you have sufficient financial resources to maintain your vehicles and run your business. This requirement is **not** reduced in the case of contract or lease hire vehicles whose maintenance is included in the hire charge.

The financial standing requirement for operators is a continuing and mandatory requirement that must be kept up to date. Existing operators will be liable to demonstrate the increased pound sterling rate whenever their licences are considered by or on behalf of a traffic commissioner, either at the five year review stage or where a traffic commissioner considers an operator's licence for any other reason.

The traffic commissioner will assess the evidence you send in against the current financial levels, which change on an annual basis based on the rate of exchange for the Euro as at 1 October each year and shall have effect from 1 January of the following calendar year. Details of the current financial levels can be found at Annex A of the application. **You should ensure that you have sufficient financial evidence to show that you meet the current levels for the type of licence and number of vehicles you are applying to operate.** If you are applying for a margin for future expansion, you must ensure that you can show access to sufficient funds for all the vehicles you are applying for, not just the ones you wish to operate straight away.

**All applicants must provide financial evidence so the traffic commissioner can assess this requirement, as follows.**

### Availability

The key test in demonstrating financial resources is whether the applicant or operator has available capital and reserves of an amount equal to the sum specified. "Available" is defined as: "capable of being used, at one's disposal, within one's reach, obtainable or easy to get". The three questions an operator needs be able to answer are:

- how much money can the operator find if the need arises?
- how quickly can they find it?
- and where will it come from?

### Name(s) on financial evidence supplied

All financial documents should be in the same name as the applicant or licence holder. In the case of partnerships be in the same name(s) as one or both of the applicants or licence holders.

In the case of a Limited Company and Limited Liability Partnerships (LLPs) the funds must be held within the company.

The traffic commissioner may allow documents in a different name, but in the case of



an individual applicant/operator this must be supported by a statutory declaration signed by the natural person.

For companies, group and cross guarantees will be referred to the traffic commissioner to consider the merits and will require evidence of the financial standing of the guarantor.

**The types of evidence listed below are not exhaustive.**

### **Bank statements**

You should provide **original** bank or building society statements covering the last three consecutive months. If original bank statements are not available, for instance if you have an online only account, then you may provide printouts that have been signed and stamped by the bank as verification that they show a true reflection of your account. Any such printouts must contain the account holder's name and account number, the name of the bank, and all transactions taking place within the last three months.

Building society accounts will only be acceptable if funds can be drawn down within one month.

Unusually large deposits/withdrawals which have influenced the average balance might lead to further enquiries and a request for an explanation from the applicant/operator. The traffic commissioner might ultimately decide to discount these deposits/withdrawals from the average balance. If there is any doubt as to the source of funds this will be referred to the traffic commissioner.

Credit card accounts (in the same name as the application or licence holder) must be supported by original documents, as with bank statements, to show that over the same three-month period the funds available meet the criteria. Where a credit card account is the sole source of evidence to prove the availability of finance traffic commissioners are entitled to ask why there is no other evidence of banking facilities available.

If the applicant has a new business and thus does not have statements for 3 months, an opening balance meeting the requirement may be accepted, with an explanation regarding the source of funds but it may be the subject of a requirement to submit further financial evidence within a specified period after the date of grant (likely to be 6 to 12 months) to provide the operator with an opportunity to then supply three months of evidence.

### **Overdraft facility**

The applicant or operator can supplement the original or certified copies of any bank or building society accounts statements by the use of an overdraft or credit facility. That is an overdraft at their disposal in the sense that there is a balance undrawn before the limit is reached. The facility must be demonstrated by a formal written commitment by the bank, etc. (An offer of such a facility will not suffice.)

The average balance shown in the statements will be calculated, and added to any overdraft or credit facility to show the amount of credit that can be used as proof of financial standing. If the average balance is negative, this will be subtracted from the

overdraft limit to find the available finance.

### **Invoice Finance Agreement**

An invoice finance agreement is acceptable, but only if accompanied by:

- confirmation of available balances not drawn down averaged over a 3 month period.
- a copy of the signed agreement from the finance company in which they agree to retain the amount of money needed to meet the definition of financial standing.
- a completed schedule signed on behalf of the finance company. This is available to download at **[www.businesslink.gov.uk/transport](http://www.businesslink.gov.uk/transport)**

If you are supplying an invoice finance agreement you must still provide bank statements as detailed above.

### **Audited accounts – limited companies and Limited Liability Partnerships**

These must be certified by a properly qualified person be drawn up clearly and give a true and fair view of the company's assets, liabilities, financial provision and profit or loss.

The items that must comprise the annual accounts are:

- a balance sheet
- that the company is trading profitably (on the profit and loss sheet)
- notes on the account
- a positive ratio of more than 1.0 (when dividing total assets by total liabilities)
- a positive ratio of more than 0.5 (when dividing current assets by current liabilities)

The latest audited annual accounts (in respect of the financial year end, to a date not more than 18 months prior to the date of application) can be used as a substitute for bank statements, generally only where the entity is an established and substantial limited company/plc with a turnover of more than £5.6m (subject to statutory uprating). Smaller businesses, however, might seek to use annual accounts as additional evidence in answering the three key tests on availability. Draft annual accounts to a date not more than 12 months prior to the date of application/licence check may be sufficient but will be referred to the traffic commissioner who may require further evidence.

Annual financial accounts can be a very useful cross check on an operator's financial health. If audited, they should give an accurate (though historic) 'snapshot'. Businesses with a turnover of less than £5.6m are not required to have their accounts audited. Operators, however, with a turnover of more than £1m are advised that your accounts should be prepared by a chartered or certified accountant. Company law allows unaudited financial accounts for businesses with a turnover below £5.6m but the traffic commissioner may not place as much weight on unaudited accounts as those which are independently certified. Where any accounts are relied upon it is open to the traffic commissioner to seek a further check of finances either by way of a condition upon grant or an undertaking.

It is open to the traffic commissioner to consider financial accounts for all other types of business (i.e. not companies) whether audited or not. This might highlight any insolvent trading positions or unpaid taxes such as PAYE/NI/VAT etc. and may indicate cash flow problems. Where accounts contradict the impression given by the bank statements the

traffic commissioner might ask for further enquiries to be made.

In addition to the types of financial evidence shown earlier, the traffic commissioner may agree that an operator can demonstrate its financial standing by means of a certificate such as a bank guarantee or insurance, including professional liability insurance from one or more banks or other financial institutions, including insurance companies, providing a joint and several guarantee for the operator in respect of the amounts specified above.

The evidence must be those of the economic entity (applicant/operator) established in Great Britain where an authorisation has been applied for and not those of any other entity established in any other country or European Member State.

- 12b)** The traffic commissioner requires details about any insolvency history of applicants for an operator's licence. Previous insolvency history may affect an applicant's fitness or reputation. Traffic commissioners will consider each case on merit and it is vital that you declare all previous insolvency history.

Please tick either 'yes' or 'no' in answer to **all** five parts of Question 12b.

If you tick 'yes' in answer to **any** of the questions then you must provide full details, on a separate piece of paper. This should include the circumstances leading to the insolvency proceedings, the people, dates and any courts involved, details of any operator's licence affected by such action (including the licence number, licence holder, people involved and so on), plus any other information you think may be relevant.

You must also supply further information if you ticked yes to the relevant part of Question 12b as follows:

- 12b)i.** You should provide a copy any certificate of discharge from bankruptcy.
  - 12b)ii.** You should provide a copy of the Liquidator's report. If this is not yet available please provide a copy of the report to the creditors, and state when the full Liquidator's report is likely to be available.
  - 12b)iii.** You should provide a copy of the Receiver's report. If this is not yet available please provide a copy of the report to the creditors, and state when the full Receiver's report is likely to be available.
  - 12b)iv.** You should provide a copy of the Administrator's report. If this is not yet available please provide a copy of the report to the creditors, and state when the full Administrator's report is likely to be available.
  - 12b)v.** You should provide a copy of the disqualification orders.
- 12c)** You must inform the traffic commissioner immediately as soon as you become aware of any new insolvency proceedings that involve anyone named on the application, which take place between sending in your application and being notified of any decision on your application. This includes any of the following: bankruptcy, liquidation, receivership, administration or disqualification from being a director.

You should inform the traffic commissioner as soon as you become aware that financial difficulties may lead to insolvency proceedings, and should not wait until the procedures are already underway.

If you fail to inform the traffic commissioner of any such proceedings then you risk having your application refused and/or any operator's licences on which the relevant person(s) are specified may be subject to regulatory action.

## **Guidance note 13– Previous licence history**

The answers you give in this section will be checked against our own records. If you are unsure, please include the detail and if it is not required this will be noted before your application is determined by the traffic commissioner.

- 13a)** Please answer the question 'Yes' or 'No' and provide details if you have answered 'Yes'.
- 13b)** Please answer the question 'Yes' or 'No' and provide details if you have answered 'Yes'.
- 13c)** Please answer the question 'Yes' or 'No' and provide details if you have answered 'Yes'. The question applies whether you have had an application for an operator's licence refused by a traffic commissioner or by any other EU licensing authority.
- 13d)** Please answer the question 'Yes' or 'No' and provide details if you have answered 'Yes'. The question applies whether you have had an operator's licence revoked, suspended or curtailed by a traffic commissioner or by any other EU licensing authority.
- 13e)** Please answer the question 'Yes' or 'No' and provide details if you have answered 'Yes'.
- 13f)** Please answer the question 'Yes' or 'No' and provide details if you have answered 'Yes'.
- 13g)** Please answer the question 'Yes' or 'No' and provide details if you have answered 'Yes'.

If you have purchased the assets or shareholding of a company, but you are not sure whether they hold a licence, you may carry out an operator search by visiting the VOSA website, or you can telephone the contact centre on 0300 123 9000.

## **Guidance note 14– Convictions and penalties**

You must inform the traffic commissioner of all relevant convictions and relevant fixed penalty notices incurred by any relevant person in connection with your application. A relevant person means the person, persons or company applying for the licence, and any employees and agents of the applicant, the nominated transport managers(s) and, where appropriate, officers of the company.

Details of which convictions you need to declare are given at 14a below. You should provide full details of the background circumstances of any convictions declared on a separate piece of paper.

This includes foreign convictions. If a conviction has been imposed by a court outside Great Britain (including a Northern Ireland court) it should be notified.

Failure to provide information which subsequently comes to the attention of the traffic commissioner may lead to your application being refused or, if the licence has been granted, action being taken against the licence. Such action may include the revocation

of the licence. This includes any licence on which any relevant person in this application is named.

### Spent convictions

You do not have to declare convictions which are “spent” under the Rehabilitation of Offenders Act 1974. The table below shows the rehabilitation period, at the end of which convictions will become spent. The rehabilitation period depends on the sentence for the original offence and runs from the date of conviction.

A sentence of imprisonment for life or a sentence of imprisonment, detention in a YOI, a sentence of preventative detention or a sentence of detention during Her Majesty’s pleasure for terms exceeding 30 months are excluded from rehabilitation. Otherwise:

Where on a conviction the sentence imposed is:	The rehabilitation period begins on conviction and lasts for:
IMPRISONMENT IN A YOI, CORRECTIVE TRAINING for MORE THAN 6 MONTHS but not exceeding 30 months	10 years*
IMPRISONMENT NOT EXCEEDING 6 MONTHS	7 years*
FINE (or other order not specified below)	5 years*
BORSTAL TRAINING	7 years
DETENTION (PCC(S)A 2000, s.91) under CYPA 933, s.53 for MORE THAN SIX MONTHS but not exceeding 30 months	3 years
DETENTION under PCC(S)A 2000, s.91, s.53 for NOT MORE THAN 6 MONTHS	3 years
Detention in a YOI	3 years
PROBATION (COMMUNITY REHABILITATION) ORDER, where offender 18 years or over at date of conviction;  Where offender under 18 at date of conviction	5 years  2½ years from conviction or a period beginning with date of conviction and ending when order ceases to have effect (whichever is the longer)
DETENTION AND TRAINING ORDER under CDA 1998, S.73	In the case of a person aged 15 or over a date of conviction, 5 years if order was, 3½ years if it was not, for a term exceeding 6 months. In the case of a person under 15, a period beginning with date of conviction, and ending 1 year after the date on which the order ceases to have effect
SECURE TRAINING ORDER. BIND OVER to keep the peace or be of good behaviour, CARE ORDER, SUPERVISION ORDER under PCC(S)A 2000, s.63(1), Care order under CYPA 1933, S.57, Supervision order under CYPA 1933 or CYPA 1963	1 year or duration of order (whichever is longer)
Attendance at an ATTENDANCE CENTRE	Duration of the order plus 1 year
HOSPITAL ORDER (with or without restriction order)	5 years or duration of the order plus 2 years (whichever is longer)
DISQUALIFICATION, disability, prohibition or other penalty	The duration of the order

\* Reduced by half if the offender was under 18 at the date of conviction.

A later conviction may affect the rehabilitation period for an earlier conviction if it happens before the first period has run out.

If you are not sure whether your convictions are “spent”, you should declare it and the traffic commissioner will then consider each case on its merits.

#### **14a) All applicants**

You must notify the traffic commissioner if any of the following has been convicted of any of the offences specified below:

You as the applicant

Where the applicant is a partnership, any partner in that partnership

The company and its officers, where the applicant is a company

Any transport manager nominated in the your application

Any employee or agent of the applicant

Relevant convictions are offences in relation to a public service vehicle or the operation of a PSV:-:

- under or by virtue of the Public Passenger Vehicles Act 1981;
- under sections 5(1), 8(1), 11, 13, 16(1), 17(4) and 18(3) of the Road Traffic Regulation Act 1984;
- under section 1(2) of the Sporting Events (Control of Alcohol etc) Act 1985;
- under or by virtue of Parts I and II and section 101 of the Transport Act 1985;
- under or by virtue of Parts I, II, III, IV and V and sections 164(6) and (9), 165(3) and (6), 168, 170(7), 171(2), 172(3) and (4), 173(1), 174(1) and (2) and (5) in Part VII of the Road Traffic Act 1988;
- under section 91 of the Road Traffic Offenders Act 1988;
- relating to-
  - (i) the speed at which vehicles may be driven,
  - (ii) drivers' hours or the keeping of drivers' records under by virtue of Part VI of the Transport Act 1968,
  - (iii) new bus grants under section 32 of, and Schedule 8 to, the Transport Act 1968, grants towards bus fuel duty under section 92 of the Finance Act 1965,
  - (iv) a duty of excise imposed by or under the Vehicles (Excise) Act 1971 or the Vehicles Excise and Registration Act 1994, and
- under section 92 of the Licensing (Scotland) Act 1976 and section 70 of the Criminal Justice (Scotland) Act 1980;

or other offences under the law in force in any part of Great Britain which are serious offences or road transport offences.

A serious offence is an offence where one or more of the following punishments have been imposed:

- Imprisonment exceeding 3 months
- A fine exceeding level 4 on the standard scale
- A community service order for more than 60 hours
- Any punishment outside the UK corresponding to any of the above

Any corresponding offence under the law of a country or territory outside the United

Kingdom for which a corresponding punishment was imposed.

A road transport offence is an offence under the law of any part of the United Kingdom relating to road transport including in particular an offence relating to drivers' hours of work, rest periods the weights or dimensions of commercial vehicles, road or vehicles safety or the protection of the environment and

Any other offence concerning professional liability; or

Any corresponding offence under the law of a country or territory outside the United Kingdom

- 14b) Any conviction or penalty for an offence under UK law relating to road transport, or any corresponding offence outside the UK. In particular:
- Exceeding the maximum 6-day or fortnightly driving time limits by margins of 25 % or more.
  - Exceeding, during a daily working period, the maximum daily driving time limit by a margin of 50 % or more without taking a break or without an uninterrupted rest period of at least 4.5 hours.
  - Not having a tachograph and/or speed limiter, or using a fraudulent device able to modify the records of the recording equipment and/or the speed limiter or falsifying record sheets or data downloaded from the tachograph and/or the driver card.
  - Driving without a valid roadworthiness certificate if such a document is required under Community law and/or driving with a very serious deficiency of, inter alia, the braking system, the steering linkages, the wheels/tyres, the suspension or chassis that would create such an immediate risk to road safety that it leads to a decision to immobilise the vehicle.
  - Transporting dangerous goods that are prohibited for transport or transporting such goods in a prohibited or non-approved means of containment or without identifying them on the vehicle as dangerous goods, thus endangering lives or the environment to such extent that it leads to a decision to immobilise the vehicle.
  - Carrying passengers or goods without holding a valid driving licence or carrying by an undertaking not holding a valid Community licence.
  - Driving with a driver card that has been falsified, or with a card of which the driver is not the holder, or which has been obtained on the basis of false declarations and/or forged documents.
  - Carrying goods exceeding the maximum permissible laden mass by 20 % or more for vehicles the permissible laden weight of which exceeds 12 tonnes, and by 25 % or more for vehicles the permissible laden weight of which does not exceed 12 tonnes.

- 14c) You must inform the traffic commissioner immediately of any convictions that occur in the period between the submission of your application and a decision being made on your application. The traffic commissioner will decide whether the convictions are relevant to your application.

## **Guidance note 15– Vehicle information and additional undertakings**

Please read the undertakings in this section carefully and ensure that you fully understand the obligations you are making before signing the declaration. If you accept the undertakings you are responsible for ensuring that you comply with them at all times. Your licence is at risk should you breach an undertaking.

- 15a)** This is the number and size of vehicles that you intend to operate under the PSV operator's licence. Do not include taxis and private hire vehicles.

If you intend to operate small vehicles please read the notes at Annex 1.

### **Standard International Licences – Community licences**

The international carriage of passengers requires the operator to hold a community licence, which you will be issued to you should you be granted a standard international licence.

A copy of this licence must be carried on each vehicle being used to carry passengers to, from or through another Member State. Therefore please indicate the number of vehicles you plan to use for international journeys so that you can be issued with sufficient copies.

- 15b)** This only applies to operators in an English or the Welsh traffic area who wish to operate small vehicles.

If you are claiming exemption from the requirement to charge separate fares you must provide further details here. Please give details of the size of the fleet of all your vehicles which are used as part of your passenger carrying business-

Number of small vehicles (including any licensed as taxi or private hire vehicles or private hire cars);

Number of large PSVs, that is PSVs which can carry nine or more passengers.

The purpose for which the small vehicles you intend to operate as PSVs will be used

- 15c)** If you wish to operate small vehicles and cannot claim the exemption from having to operate the vehicles at separate fares then you will be required to meet one of these two conditions. You must provide details as to how you will meet either of these conditions.

- 15d)** If you tick **YES** then you are accepting the undertakings.

Should your licence be granted these undertakings will be attached to the licence and you must comply with all of these undertakings at all times. Your licence will be at risk should you fail to do so.

If you tick **NO** the traffic commissioner may be minded to consider your application at a Public Inquiry.

- 15e)** If you tick **YES** then you are accepting the undertaking.

Should you wish to operate small vehicles under the licence at some time in the future you must first ask the traffic commissioner for permission.

If you tick **NO** the traffic commissioner may be minded to consider your application at a Public Inquiry.

- 15f) Limousines and novelty type vehicles**

The traffic commissioner requires to know whether you intend to operate limousines or



novelty vehicles under your licence.

Please indicate whether you intend to operate such vehicles by ticking the relevant box. If you intend to operate such vehicles please tick the **YES** box and go to section 15g where you will be asked for further assurances.

If you do not intend to operate such vehicles please tick **NO** and read the undertaking that the traffic commissioner proposes to attach to your licence.

If you accept this undertaking please tick **YES**. Should you wish to operate limousines or novelty vehicles at some time in the future you will need to apply to the traffic commissioner to have this undertaking removed, using form PSV421(A).

If you tick **NO** the traffic commissioner may be minded to consider your application at a Public Inquiry.

- 15g)** As with any PSV adapted to carry nine or more passengers a limousine or novelty vehicle must have a valid Certificate of Initial Fitness or Conformity. If it does not have such a certificate it must meet the requirements of European Community Whole Vehicle Type Approval or the National Small Series Type Approval. If the vehicle is not covered by either of then it must have an Individual Vehicle Approval (IVA). Please confirm that you accept the undertaking by ticking the **YES** box.

If you tick the **NO** box the traffic commissioner may be minded to consider your application at a Public Inquiry.

## Guidance Note 16- Undertakings and Declarations

The application must be signed by the person who will be the licensed operator.

- If you are applying as a sole trader, then you must sign the form yourself.
- If you are applying as a partnership it may be signed by all partners named in your answer to question 5a) or by one partner with the authority of the others.
- If you are applying as a limited company or LLP it must be signed by one or more of the partners/directors named in your answer to question 3b).
- If you are applying as any other organisation, it must be signed by one or more of the people named in your answer to question 6b).

By signing the application you are accepting the undertakings and you are responsible for ensuring that you comply with them at all times. Your licence is at risk should you breach an undertaking.

## Guidance Note 17– Payment details

You must pay the application fee in full by credit/debit card or by cheque/postal order. Details of the amount payable can be found at [www.businesslink.gov.uk/transport](http://www.businesslink.gov.uk/transport) or at Annex B of the application.

The application fee is non-refundable. You will not get the money back if you withdraw your application or it is refused.

If your application is granted, then there is an additional fee payable for the issue of the licence. This covers your operator's licence for a five year period. The licence fee is also non-refundable.

If you are paying by cheque or postal order, you must enclose this with your application.

If you are paying by credit or debit card, you must give all details required. We will use your card details to pay for the application fee only. We will destroy your card details once they have been used to pay the fee.

## Guidance Note 18– Checklist

The traffic commissioner will only consider **complete** applications.

Throughout the application form and guidance notes you have been advised if supplementary evidence is required to support a particular section. Please use the checklist provided to help ensure that you have included everything required.

Your application must contain the correct documentary evidence. If it does not then it cannot be considered by the traffic commissioner. **Failure to supply the correct evidence will result in a delay in the processing of your application and may also result in your application being refused.**

### **I've submitted my application - what happens next?**

The Central Licensing Office aims to ensure that the traffic commissioner is in a position to make a decision on 85% of unopposed applications (and those not requiring a public inquiry) within 9 weeks of the date of receipt of the application and the required fee. If your application is opposed or if the traffic commissioner requires a Public Inquiry to determine the application then your application is likely to take longer.

The information provided will be checked and details of your application will be put forward for publication in "Notices and Proceedings". This publication is sent to the police and Local Authorities, who have a statutory right to object to the grant of your application. Internal checks will also be carried out and further information may be requested from other parties.

Once your application has been processed, a letter will be sent to you at the correspondence address provided advising you of your reference number. If the application is incomplete or there is any further information required by the traffic commissioner you will be advised of this.

**You must not operate PSVs until a licence has been issued to you.**

If your application is opposed you will be given further advice by this office and you will be asked for supplementary information.

Should your application be refused you have the right to ask to be heard at a Public Inquiry.

## Annex 1 Small Vehicles

There are only two criteria that allow small vehicles to be operated under a PSV operator's licence. These are defined in the Public Passenger Vehicles Act 1981 (the Act) and are as follows;

a) A small vehicle can be regarded as a public service vehicle if it is used to carry passengers for hire or reward at separate fares in the course of a business of carrying passengers. However, even if the passengers are carried at separate fares, this does not automatically mean that the vehicle is a PSV. One or both of the following conditions set out in Schedule 1 to that Act must also be satisfied:-

Condition 1: The passengers must have been brought together for the purposes of making the journey by the driver or owner of the vehicle or by some other intermediary who is paid for doing so. In addition each journey must have been advertised to the public, so as to create a *genuine* opportunity for members of the public to be carried *on the particular journey in question, i.e.* the journey is not an exclusive hiring for an individual or group, notwithstanding that separate fares are paid. Advertisement at a place of worship, a place of work, a club or other voluntary association for the information of people present at those places, or in periodicals circulated wholly or mainly among such persons, does not count as advertisement to the general public. Finally, in the event that there are multiple destinations, there should be differentiation of fares for the journey based on distance or time.

Condition 2: The making of the agreement for the payment of separate fares must have been initiated by the driver or owner of the vehicle, or by some other intermediary who is paid for doing so – not by the passengers themselves, or any other party. In addition, as in condition 1, each journey must be advertised to the public beforehand as being open to passengers to be carried at separate fares

b) In England and Wales, there is an alternative authorised under Section 79A (3) of the Act. This allows certain operators of large PSVs, i.e. vehicles which can carry nine or more passengers, to use a small vehicle under their PSV operator's licence, without the requirement to charge separate fares. The use of a small vehicle must be only a small part of the operator's business of carrying passengers by motor vehicles. Guidance provided by the Department for Transport suggests that, although the ultimate decision for what constitutes 'a small part' is a matter for the courts, the understanding is that if less than 10% of the fleet of vehicles licensed under a PSV operator's licence are small vehicles the exemption may apply. However, as the legislation states small part of the business, other factors such as mileage run or income may be taken into account.

If you wish to operate small vehicles but cannot meet any of the criteria detailed above you probably require a Private Hire Vehicle (PHV) licence or, in Scotland, a Private Hire Car (PHC) licence. You should contact your local authority for further advice.