

# Public Service Vehicle Operator Licensing

Guide for Operators



GUIDE

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The main purpose of Public Service Vehicle (PSV) Operator Licensing is to ensure the safe and proper use PSVs. The operator licensing system in Great Britain is regulated by independent traffic commissioners, who are appointed by the Secretary of State.

This guide and the application forms for operator licensing and bus registration are available through **[www.dft.vosa.gov.uk](http://www.dft.vosa.gov.uk)**, as is the publication Notices and Proceedings. The website **[www.businesslink.gov.uk/transport](http://www.businesslink.gov.uk/transport)** provides useful information for transport operators, local authorities, partner organisations, hire companies and the general public.

### Disclaimer

This publication gives general guidance only and should not be regarded as a complete or authoritative statement of the law and does not provide legal advice.

If you wish to check the legal position you should refer to the main legislation listed in Annex 13 and, if necessary seek your own legal advice.

Please note that Northern Ireland and the Isle of Man are covered by a separate licensing system and are not dealt with here.

If you need more information, please contact the VOSA contact centre on **0300 123 9000**. All forms referred to in this guide are available from **[www.dft.gov.uk/vosa](http://www.dft.gov.uk/vosa)**.

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# Introduction

This guide has been produced to explain how the licensing system works for operators of public service vehicles (PSVs). Written with the support of the traffic commissioners and industry associations, the guide is intended to help both new and existing operators understand the requirements of the operator licensing system. This will help to ensure that all PSVs are used safely and legally.

It explains how the operator licensing system works for PSVs. It is produced to give general guidance and is therefore not a legal document. For details of the law please refer to the Acts and regulations listed in Annex 13.

This guide contains detailed descriptions and definitions of all the systems and procedures you will need to follow to become a safe and legal PSV operator. It has been set out in order of the application process with additional information being referred to in the annexes at the back.

If you are a new operator, you will find this guide useful for advice on the operator licensing procedures and the legal requirements and undertakings you will be required to meet. If you are an experienced and established operator, it will help you to refresh your understanding of operator licensing and update your knowledge on the recent changes in legislation and best practice.

This guide is concerned with PSV operator licensing only.



**Take note:** Neither VOSA nor the Department for Transport can provide legal advice to operators. If you are unsure whether you are compliant with the law you should seek independent legal advice.

## Purpose of Operator Licensing

The main purpose of public service vehicle operator licensing is to ensure the safe and proper use of PSVs. The licensing provisions

can be found in the Public Passenger Vehicles Act 1981, The Transport Act 1985, The Public Service Vehicles (Operators' Licences) Regulations 1995, The Road Transport Operator Regulations 2011.

All applications for operators' licences are made to the traffic commissioner and are processed through the Central Licensing Office. However, the country is divided into eight different traffic areas, each with its own traffic commissioner who can make the final decisions on applications. Details of the traffic area boundaries and how to contact your traffic area can be found at Annex 14.

## Role of Traffic Commissioners and the Office of the Traffic Commissioners

The operator licensing system in Great Britain is divided into eight traffic areas. A traffic commissioner is responsible for issuing these licences in each traffic area. They will consider and grant a licence on the basis of the undertakings given by the applicant and they are entitled to expect the operator to comply with those undertakings during the life of the licence. Traffic commissioners are appointed by the Secretary of State for Transport and are independent from VOSA and other enforcement authorities.

In Great Britain, the traffic commissioners are regulators of the road transport industry. Their function is to ensure that only safe and reliable operators of goods and passenger vehicles are permitted to be licensed. Traffic commissioners may take regulatory action against an operator - where they may revoke, suspend or curtail an operator's licence.

## Role of VOSA

The Vehicle and Operator Services Agency is committed to making our roads safer, cutting crime and protecting the environment by ensuring that operators of heavy goods and passenger vehicles are compliant with legislation

relating to matters including driver licensing, drivers' hours, roadworthiness, operator licensing and the safe loading of vehicles. (Please refer to annex 12 for more information on VOSA Examiners).

VOSA also hold the National Register on behalf of the UK Government. This register includes certain operator licensing and transport manager data that is required by EU Regulations to be held centrally. The National Register combines the required information from the various authorities who control the operator licensing system in Great Britain, Northern Ireland and Gibraltar.

### Central Licensing Office

Applications are made to the traffic commissioner and will be processed at:

✉ Central Licensing Office  
Hillcrest House  
386 Harehills Lane  
Leeds, LS9 6NF

📞 **0300 123 9000**

📧 **[self.service@vosa.gov.uk](mailto:self.service@vosa.gov.uk)**

### Role of the Department for Transport and the EU

The Secretary of State for Transport is responsible for the overall policy and general direction of the operator licensing regime. This includes the legal requirements of operator licensing and the roles and responsibilities of the traffic commissioners and VOSA.

The Secretary of State is also responsible to Parliament for the negotiation and implementation of the European law on operator licensing.

### Other guides available to you

VOSA has produced a series of free, complementary guides that will ensure you have the knowledge and information to run a safe and legal business. These are listed in Annex 13.

**If you need further help with applying for a licence or with any other aspect of the operator licensing system, our staff are here to help – just phone the VOSA Contact Centre on 0300 123 9000.**





# Section one: Do I need a licence?

## 1. Who needs a PSV operator's licence?

You will need a PSV operator's licence if your vehicle is designed or adapted to carry nine or more passengers and payment is taken for carrying passengers (this is called 'hire or reward'). This includes stretched limousines, further details about which are contained in Annex 1.

If you operate smaller vehicles for hire or reward you will usually be licensed by a local authority under a private hire or taxi regime. However, there are certain circumstances where these vehicles must be licensed as a PSV. (These are described below.)

There is an exception for not-for-profit organisations who provide transport. These organisations may be eligible for a section 19 or section 22 permit. Please refer to Annex 4 for further information and the guidebook *PSV 385 Passenger transport provided under Section 19 or Section 22 permits*, available from the website [www.businesslink.gov.uk/transport](http://www.businesslink.gov.uk/transport)



**Take note:** It is an offence to operate a PSV without a valid licence. You could be liable for prosecution and your vehicle could be impounded.

## 2. Definitions

### Hire or reward

Hire or reward is any payment in cash or kind which gives a person the right to be carried, regardless of whether or not that right is exercised. It is also regardless of whether or not a profit is made.

The payment may be made to the operator, the driver or any agent or representative acting on behalf of the operator.

The payment may be made by the passenger, or on the passenger's behalf. It may be (a) a direct payment (e.g. a fare) or (b) an indirect payment (this could be an exchange for services such as a membership subscription to a club, payment for a bed in a hotel, school fees or payment for concert tickets where travel is included; the payment does not have to be money and the right to travel does not need to be taken up).



**Take note:** The courts may view indirect payments as hire or reward.

### Operating centre

This is the place or centre where your vehicle(s) are normally kept. You should have adequate off-street parking for all the vehicles you intend to keep at your operating centre.

You should also ensure that there is planning permission allowing you to use the site as an operating centre.

### The Operator

The operator is deemed to be the driver if he/she owns 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 a vehicle is the subject of an agreement for hire, hire-purchase, conditional sale or loan, the owner is the person in possession of the vehicle under that agreement.

### Separate fares

Separate fares mean an individual payment by each passenger to the driver, conductor or agent of the operator for the journey undertaken. Payment may be made on the vehicle or in advance of the journey at a sales point (ticket machine, newsagents, vehicle station or office). Payment may also be by

indirect means (in respect of other services such as concert tickets where travel is included).

Separate fares are not involved where the vehicle is hired as a whole and individual passengers make no contribution.

## Defining what a public service vehicle is

### Minibuses and larger vehicles

If the vehicle is designed or adapted to carry nine or more passengers and does so for hire or reward it is a public service vehicle. This includes many stretched limousines, further details about which are contained in Annex 1.

### Small vehicles

If your vehicle has eight or fewer passenger seats and you wish to carry passengers at separate fares in the course of a business of carrying passengers you may need a PSV operator's licence. In addition to being used to carry passengers at separate fares there are further conditions that must also be met and these are set out in Annex 2.

Should you want to operate only one or two small vehicles you may apply for a restricted PSV operator's licence which is easier to get than a standard licence. (See page 7). You will still need to meet the conditions as set out in Annex 2.

However, if you have a taxi licence, a private hire vehicle (PHV) licence or, in Scotland, a private hire car (PHC) licence and you want to use your licensed taxi or hire car to operate a local bus service, you can apply for a special restricted PSV operator's licence which is easier to get. Further details can be found at Annex 3.

### Small Vehicles - Regional differences

#### ► Scotland

In Scotland any small passenger-carrying vehicle (of eight or fewer passenger seats) must be licensed as a private hire car (PHC) where it is used for hire by private arrangement. Examples of such use might include private hire, school

contracts or wildlife tours. Each separate type of use must be considered on its merits.

A PHC licence is not required for small vehicles of this type if they are only ever used to carry passengers at separate fares on a registered local service. In these circumstances they will need to be covered by a PSV operator's licence.

If, however, the vehicle is used for both private hire and for registered services it will need to be covered by both types of licence (PHC and PSV).

If you need further and more detailed information about the operation in Scotland of small passenger-carrying vehicles (with eight or fewer passenger seats) ask the Office of the Traffic Commissioner in Scotland for a copy of the separate notice *Licensing of small passenger carrying vehicles* (of 11 July 2001) or you can obtain it from [www.businesslink.gov.uk](http://www.businesslink.gov.uk)

#### ► England and Wales

In England and Wales there is an exception to the requirement to charge separate fares but only for operators who operate large PSVs (that is PSVs with more than eight passenger seats), and whose use of small vehicles is only a small part of their business. These operators may run small vehicles licensed as PSVs for private hire.

What constitutes 'a small part' is not defined in legislation. Ultimately, final decisions on where the balance lies are a matter for the courts. The legislation confers the exemption on an operator whose use of small vehicles is only a small part of their business. One factor that is relevant is the relative size of the fleet of large and small buses. If less than 10% of the overall fleet licensed under a PSV operator's licence are small vehicles, the exemption may apply. However, because the legislation refers to size of the small and large business, other factors such as revenue or mileage may be relevant. For example, there may be instances where the small vehicle fleet

exceeds 10% but the mileage of these vehicles is only a small part of the overall mileage, in which case the exemption may apply.

### Small vehicles - situations where a PSV operator's licence is not required

Your small vehicle will not be classed as a PSV in the following situations and you will not need a PSV operator's licence if;

- ▶ you give lifts in a car, or take part in a social car scheme run by a local authority and you charge people enough to cover your running costs (plus general wear and nothing more). Your car will still be treated as a private vehicle, not a taxi, hire car or PSV;
- ▶ you run a taxi or private hire business and charge for the hire of the vehicle as a whole. You will not be charging separate fares so your vehicle is not classed as a PSV. You will need a taxi or PHV or PHC licence issued by the local authority if a licensing system is in force within your area of operation;
- ▶ your licensed taxi or private hire vehicle is used to carry passengers at separate fares provided all the passengers book in advance and agree when they book to share the cost; or
- ▶ your licensed taxis are operating from authorised places under local authority taxi sharing schemes.
- ▶ organisations that operate without a view to making a profit may use small vehicles to carry passengers at separate fares without the requirement to hold a PSV operator's licence. The vehicle may be operated under a standard section 19 permit. Further information can be found at Annex 4 and in the guidebook *PSV 385 Passenger transport provided under Section 19 or Section 22 permits*, available from the website [www.businesslink.gov.uk/transport](http://www.businesslink.gov.uk/transport)

### Is a vehicle still a PSV even when it is not carrying passengers?

If the vehicle is parked in a depot or garage (or is being driven between two depots or is temporarily laid up for any reason) it is still a PSV. It only stops being a PSV when its use as one has been permanently discontinued; for example, if you take a vehicle out of service altogether and adapt it for some other use (such as driver training).

There is an exception for vehicles that are sometimes used as taxis, PHVs or PHCs and sometimes as PSVs under a special restricted PSV operator's licence (see Annex 3). These vehicles are PSVs only when they are being used on registered local bus services. When they are not being used as PSVs they are taxis or PHVs or PHCs and the rules covering taxi and private hire licensing apply.



**Take note:** There are occasions when the use of a PSV will not require an operator's licence.

Predominately these are school buses owned and operated by local education authorities and vehicles run by organisations who operate without a view to making a profit under permits (see Annex 4).

## 3. Types of licence

There are four kinds of licence:

1. A **standard licence** – for national and international operations.
2. A **standard licence** – for national operations only.
3. A **restricted licence** – for small operations only.
4. A **special restricted licence** – for holders of taxi licences, PHV licences, or PHC licences only (see Annex 3).

### Standard licence

A standard licence allows you to operate any number of vehicles within your authorisation in the UK, or in the UK and abroad if your



licence was granted for international operations.

Operators who are issued with standard international licences will also receive Community licences to allow them to travel to, from or through another Member State.



**Take note:** Community licences will not cover you for journeys to non-EU countries, where you might require special permission to travel. You can find more information in Annex 11.

To get a standard licence you, or your transport manager, must satisfy the requirement of professional competence. (See Annex 5 for further information on transport managers and professional competence).

If you or your transport manager can claim professional competence only for national operations, you will be able to get only a standard national licence.

## Restricted licence

A restricted licence authorises the use of PSVs with;

- a) eight or fewer passengers seats; and
- b) nine to sixteen passenger seats when used
  - i) not in the course of a passenger transport business eg they are used in connection with a hotel business; or
  - ii) by a person whose main occupation is not the operation of PSVs which are able to carry nine or more passengers. ie the operation of the minibus is a sideline and not your main occupation.

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

A restricted licence allows you to operate in the UK and abroad.

If the restricted licence is in the name of a limited company and you want to run nine to 16 passenger seat vehicles, the rule as to the main occupation applies to the legal entity, in other words the limited company.



**Take note:** The restrictions on main occupation apply on nine to 16 passenger seat vehicles. They do not apply in the case of vehicles with eight or fewer passenger seats.

You do not have to satisfy the requirement of professional competence to get a restricted licence, but all other requirements are the same as for a standard licence. You must apply and obey the same rules.



**Take note:** A restricted licence cannot be used on a vehicle with more than 16 passenger seats. If you wish to operate a vehicle with more than 16 passenger seats you will need a standard licence. The maximum number of vehicles that may be used under a restricted licence is two. If you wish to use more than two vehicles you will need a standard licence.

## Special restricted licences

A special restricted licence can be granted only to someone who already holds a taxi licence, a PHV licence or PHC licence. Its only use is to let a licensed taxi, PHV or PHC operate on a local service. The way you apply for this licence and all the other rules are different from all other types of licence; they are set out in Annex 3.

### Further reading

You should also read A guide to Local Bus Service Registration (PSV 353A). If you are proposing to operate a local service in London you must first get authorisation from Transport for London (TfL).

## Section two: Application process

### 1. Applying for a licence

To apply for a new licence you need to complete the application form, PSV 421, which you can obtain by downloading from [www.businesslink.gov.uk/transport](http://www.businesslink.gov.uk/transport) or by contacting VOSA (see Annex 14). Guidance notes to assist you in completing the form are also available.

You need a licence for each traffic area in which you have an operating centre. If you have an operating centre in more than one traffic area you must submit one application per traffic area.

However, you may have more than one operating centre in each traffic area.

Any one entity (sole trader, partnership or limited company) can only hold one licence in each traffic area. It is possible for one person to be named on more than one licence in each area, provided that the licences are for separate entities, eg one licence held as a sole trader and one held as a partnership.



**Take note:** Holders of a special restricted operator's licence may also hold a restricted or standard licence in the same traffic area.

You should send the completed form together with any supporting documentation and the fee at least nine weeks before the day on which you want your licence to start. Please note that this fee is non-refundable, even if your licence is not granted, as it covers the costs of processing your application.

The traffic commissioner will not grant your licence until satisfied that you have provided sufficient evidence that you will meet all the requirements set out in Section 5. If your application is incomplete this will delay the grant, or even result in the traffic commissioner refusing your application.

This may take more than nine weeks. Therefore you are advised not to enter into any contract to run services until you know that your licence has been granted.



**Take note:** Applying for a licence does not give you the right to operate, or continue to operate, PSVs.

### The number of vehicles you can operate

A standard licence can authorise the operation of any number of vehicles. You should apply to operate as many vehicles as you think you will need at any one time. You can use your vehicles anywhere in the UK as long as they are normally kept in the traffic area that issued your licence.

You must satisfy the traffic commissioner that you are able to run that number of vehicles safely, and to maintain them properly.

The traffic commissioner may grant you a licence to operate a smaller number of vehicles than you asked for. So while you may own more vehicles than the maximum authorised on the licence, you may not run more than that number at any one time and every vehicle must display a valid disc whenever it is used. You can apply at any time to vary your licence so that you can operate more vehicles.

A restricted licence can authorise the operation of only one or two vehicles with a maximum seating capacity of 16 passengers.



**Take note:** Operators should be aware that only vehicles with a PSV operator's licence disc exhibited can be used as a PSV.

If an operator has in their possession more vehicles than the number authorised, careful consideration should be given to increasing their maximum vehicle authority (by applying to vary the licence) and number of discs.

Doing this can increase the flexibility of using the vehicles and avoid problems caused in not being able to operate services through discs being used on other vehicles.



**Take note:** It is against the law to start operating before you have received your licence and discs. There is no provision for the grant of an interim PSV operator's licence.

## 2. Requirements to obtain a licence

For a standard or restricted licence you must satisfy the traffic commissioner that you:

- ▶ are of good repute;
- ▶ are of appropriate financial standing (i.e. have enough money to run the business);
- ▶ have good enough facilities (or arrangements) for maintaining your vehicles; and
- ▶ are capable of ensuring that both you and your staff obey all the rules.

These requirements are explained further, below:

### Good repute

The traffic commissioner will look at any relevant convictions, fixed penalty notices and serious infringements incurred by any relevant person. A relevant person means:

- ▶ You, as the applicant
- ▶ If the application is in the name of a partnership, any partner in that partnership
- ▶ If the applicant is a limited company, the company and any of its officers
- ▶ Any transport manager nominated in your application
- ▶ Any employee or agent of the applicant

For the meaning of relevant convictions and serious infringements please see Annex 6.

The traffic commissioner may also take into account any other matters that affect your good repute, including those brought up by any objectors to your application.

Non-disclosure of convictions on your application form or of convictions incurred during the life of your licence will constitute a major threat to the continuation of an existing licence once the matter comes to the attention of the traffic commissioner.

You must also notify the traffic commissioner of any convictions, fixed penalties or serious infringements that occur after you have sent in your application and before a decision has been taken on your application.



**Take note:** From 4 December 2011, it will be possible to call the transport manager to a public inquiry and take enforcement action against them in their own right (i.e. independently of the licence holder(s) that employ them). For further information on transport managers and how the good repute and the professional competence requirements apply to them, see Annex 5.

### Appropriate financial standing

The traffic commissioner will need to be assured that you have enough money to run your business properly. Indication of funds can be in the form of a bank or building society balance (original statements for the three months immediately preceding your application will be required), including evidence of an overdraft facility if one is in place. Further guidance on the amount of finance required and how financial standing can be demonstrated can be found at [www.businesslink.gov.uk/transport](http://www.businesslink.gov.uk/transport) or by contacting VOSA (see Annex 14).



**Take note:** If you are applying for a standard licence the required amount of available capital and reserves is set out in EU regulations. As these may be subject to change every year on 1st January you

should contact VOSA to obtain the current requirements.

## Facilities (or arrangements) for maintaining your vehicles

You must satisfy the traffic commissioner that your vehicles will be kept fit and serviceable at all times. The traffic commissioner will want to see a copy of any maintenance contract or letter of agreement with a maintenance provider if you do not do this work yourself. Examples of the forms used for vehicle safety inspections will also be required by the traffic commissioner. The *Guide to Maintaining Roadworthiness* gives full advice about the requirements for maintenance arrangements.

## Ability to obey all the rules

The traffic commissioner will need to be satisfied that you have adequate systems in place to ensure that you, your staff and (standard licences only) your transport manager(s) are able to obey the rules which cover:

- ▶ speed limits;
- ▶ driver obligations;
- ▶ driver licensing;
- ▶ driver CPC;
- ▶ drivers' hours rules and the Working Time Directive;
- ▶ taxation and insurance of vehicles; and
- ▶ local bus service reliability.

This means having management structures, monitoring and reporting systems in place to be able to show the traffic commissioner the extent to which there has been and will be compliance.

So, for example, if you wish to run registered services you should ensure that you have the following systems for managing bus punctuality. Considerations in developing your systems should include:

- ▶ how often the registered services are monitored;

- ▶ the percentage of registered services that are monitored;
- ▶ how records of monitoring are made and kept;
- ▶ how monitoring is reported through line managers in the organisation;
- ▶ how compliance with timetables is discussed at the most senior management level, and in the case of limited companies at board level; and
- ▶ actions taken to remedy failures to comply with registered timetables, whether your own timetables or compiled by third parties eg local authorities and tendering organisation

Should you fail to operate your services correctly the traffic commissioner may require you to produce evidence that you have such systems in place.

Further information on the requirements to have adequate systems can be found in Annexes 8-10.

## Further reading

You must know about the rules on drivers' hours and tachographs – see the booklet *Drivers' Hours Rules for Road Passenger Vehicles* (PSV 375).

You must maintain your vehicles to ensure that they are in a roadworthy condition at all times. For further information please refer to the *Guide to Maintaining Roadworthiness*.

You must ensure that you have systems in place to manage and keep records to ensure that all passenger carrying vehicles are used safely and legally. For more information please refer to *The Safe Operator's Guide*.

All the guides we mention are at [www.businesslink.gov.uk/transport](http://www.businesslink.gov.uk/transport) and obtainable free of charge from VOSA (see Annex 13).



## Additional requirements for a standard licence

### Professional competence

If you are applying for a standard international or standard national licence, you will need to have at least one transport manager who satisfies the requirements of professional competence. You may act as your transport manager or you may employ a transport manager (an internal transport manager) or you may hire in the services of a transport manager (an external transport manager).

Your transport manager must be suitably qualified, be of good repute and actively involved in your business with continuous and effective responsibility for the management of the transport operations.

Should you change your transport manager, you must notify the traffic commissioner within 28 days.

If you or your transport manager can claim professional competence only for national operations, you will not be able to get a standard international licence.

For more information, see Annex 5.



**Take note:** As the licence holder, you are ultimately responsible for all aspects of your operations. This applies to holders of all licence types.

### Address of Establishment

The applicant and any holder of a standard licence must have an “establishment” in Great Britain. An establishment means premises in which the operator keeps their core business documents, in particular your accounting documents, personnel management documents and driving and maintenance records. A PO Box or third party address cannot be used for an address of establishment, nor as an address for correspondence on a standard licence.

### Access to a vehicle

The licence holder must have “access” to a vehicle (i.e. either a vehicle in possession or a formal contract with a hire company to hire one in, where there are currently no vehicles in possession).

## 3. Vehicle requirements

### Certification

A vehicle that can carry nine or more passengers must have a Certificate of Initial Fitness (COIF), a Vehicle Type Approval certificate, or a Certificate of Conformity issued under the Road Vehicles (Approval) Regulations 2009, to show that it was built or adapted to PSV standards. If you buy a second-hand PSV make sure that it has a certificate and that it is passed on to you.

### Vehicle testing

There is a special Class VI MOT test for PSVs constructed or adapted to carry nine or more passengers, which must be taken every year starting at 12 months after manufacture or first use.

### Accessibility requirements

Vehicles which can carry more than 22 passengers may need to comply with the Public Service Vehicle Accessibility Regulations 2000 (as amended), allowing access on the vehicle for disabled persons. Whether the vehicle has to comply depends on its age and the use to which the vehicle is put. In general the Regulations apply to all buses and coaches which can carry more than 22 passengers, first used on or after 31st December 2000 and operating a local or scheduled service.

Vehicles covered by the Regulations are referred to as ‘regulated public service vehicles’ and the requirements include:

- ▶ A space for a “standard reference” wheelchair with suitable safety provisions
- ▶ A boarding device to enable wheelchair users to get on and off vehicles

- ▶ A minimum number of priority seats on buses for disabled passengers
- ▶ The size and height of steps
- ▶ Handrails to assist disabled people
- ▶ Colour contrasting of features such as handrails and steps to help partially sighted people
- ▶ Easy to use bell pushes throughout a bus
- ▶ Audible and visual signals to stop a bus or to request a boarding device
- ▶ Equipment to display the route and destination

## 4. Objections

The traffic commissioner publishes a notice of your application in the fortnightly publication *Notices and Proceedings*. The police and local authorities have a statutory right to object to your application if they can prove that you do not satisfy the requirements set out in section 2 paragraph 5 (i.e. that you do not satisfy the requirements to be of good repute, of appropriate financial standing, professional competence, of having adequate arrangements or facilities to maintain your vehicles and being able to comply with the laws).

The local authorities that can object are:

- ▶ London boroughs and the City of London;
- ▶ English and Welsh county and district councils;
- ▶ Passenger Transport Executives; and
- ▶ Scottish regional and island councils.

No one apart from the local authorities and the police has any right of objection. However, the traffic commissioner can receive and consider relevant representations from any other interested party, including other operators or members of the public. These may be made in writing or during a public inquiry. It is up to the traffic commissioner to decide how seriously to take representations received.

The traffic commissioner cannot refuse an application because a PSV operating centre is not environmentally suitable. Nonetheless, local authorities do have powers to refuse planning permission should they be convinced that the site of a proposed operating centre, or access to it, is unsuitable. You are strongly advised to consult the planning department of your local council at an early stage.

Any objections must be made in writing and must reach the traffic commissioner no later than 21 days after the application is published in *Notices and Proceedings*. A copy of the objection must also be sent to you at the same time.

If there is an objection the traffic commissioner will probably call you and the objector(s) to a public inquiry before a decision is made on whether to grant the licence.



**Take note:** Notices and Proceedings, often known as 'Ns and Ps', is a fortnightly publication issued by each traffic commissioner. The publication lists such matters as details of licence applications; decisions on those applications; forthcoming public inquiries; decisions at those inquiries; and details of applications to register, vary and cancel local bus services. Copies of Notices and Proceedings are available at [www.businesslink.gov.uk/transport](http://www.businesslink.gov.uk/transport)

## 5. Public inquiries

The decision about whether to hold a public inquiry lies with the traffic commissioner. It is likely that an inquiry will be held if there are any objections or if there are any doubts about your application.

If the decision is made to hold a public inquiry, written notice of the inquiry and where it will be held will be sent to you and any other affected parties.

It will also be published in Notices and Proceedings. Notice of no less than 14 days



will be given of the inquiry arrangements. The traffic commissioner can postpone or cancel the inquiry at any time.

An inquiry will be held in public but the traffic commissioner can stop the public (including, for example, potential competitors) from attending the parts of the inquiry where financial or other sensitive information is given.

### **Inquiry proceedings**

Inquiries held by the traffic commissioner are not as formal as a court of law, but they do follow the same basic pattern. You do not have to bring a legal or professional

representative with you. However, as the traffic commissioner's decision could have serious repercussions for your business you are advised to consider whether a representative could help to prepare and present your case. You must read the call-up papers carefully. If you are asked to provide information by a set date you must do so.

At an inquiry, the traffic commissioner will first briefly summarise its purpose. If the inquiry is to consider an application for a licence, the traffic commissioner will ask you questions and may also ask any witnesses (e.g. a Vehicle or Traffic Examiner – see Annex 12 for their powers) to give a report before

making a decision. You will be able to ask the witness questions and answer any points that are made.

If there is an objector to the application (the local authority or the police), then the traffic commissioner will probably ask the objector to explain the grounds of the objection. You or your representative will then be able to cross-examine the objector, who in turn will be able to cross-examine you. The traffic commissioner will give a decision only after hearing both sides of the argument. The traffic commissioner may also, at his or her discretion, allow other people who do not have a right to object (but who have relevant things to say about the application) to make their points at the inquiry. If this happens you can ask them questions and reply to any points they make.

If the traffic commissioner has called the inquiry to consider taking regulatory action against your licence and/or your transport manager(s), the Vehicle Examiner, Traffic Examiner or anyone else who has supplied evidence will probably be asked to present evidence in person at the inquiry. You will be able to put questions to any witnesses. The traffic commissioner will also ask you questions and you will always have the right to answer them before a decision is taken.

When the traffic commissioner is considering whether you satisfy the requirements of financial standing, a financial assessor may be asked to sit in the inquiry and examine any evidence that you present. The financial assessor may also ask you questions during the inquiry and the traffic commissioner will consult the assessor before making a decision. When financial matters are to be considered the traffic commissioner can ask members of the public and others not directly involved in the case to leave.

If the police or any local authority objected to your application, they can appeal to the Administrative Appeals of the Upper Tribunal against the traffic commissioner's decision to grant you a licence, but nobody else has the right to appeal.

You will normally be able to operate under your new licence until the appeal is heard.

## 6. Refusal of applications

### Your right of appeal

If your application is refused or if the licence is granted with conditions on it which you think are unacceptable, you have the right to appeal to the Administrative Appeals Chamber of the Upper Tribunal.

The Tribunal will call you to a hearing and if your appeal is successful they will order the traffic commissioner to grant you a licence or to change the conditions on the original licence. Alternatively, they may refer your application back to the traffic commissioner for reconsideration. See page 22 – “Appealing against a decision made by the traffic commissioner” – for more information about appeals.



# Section three: How to keep your licence

## 1. If your application is granted

### How you get your licence

The traffic commissioner will tell you of the decision to grant your application and will issue you with your licence documentation.

The licence will include:

- ▶ the operator's name;
- ▶ the type of licence;
- ▶ the maximum number of vehicles you can operate under it;
- ▶ the number of discs issued;
- ▶ any conditions attached to the licence; and
- ▶ any undertakings that are relevant to the grant of a licence.

You will also receive the number of vehicle discs that you have requested. If you do not wish to take up the maximum number of discs you can request additional discs up to the authorised number at any time. Each disc will show your name and licence number plus the date the disc comes into force and the date it expires.



**Take note:** You may use, at any one time, only the number of vehicles for which discs have been issued and each vehicle used must display a disc.

You should ensure that the entire fleet of vehicles is kept in a roadworthy condition and keep records for each vehicle to prove this. If a vehicle is off the road there should be a formal record kept of this fact.

If you use your discs in more than one vehicle you must keep clear records to show to a VOSA examiner or any other authorised person exactly when each vehicle was being operated.

### How long your licence will last

Under the continuous licensing system, once granted your licence remains valid for life unless you operate outside the terms of your licence.

Every five years the traffic commissioner will ask you to confirm that a summary of information held on your record is correct. You should not wait until this time though to inform the traffic commissioner of any changes. Please refer to page 19 for further information on changes in your circumstances.

### What you must do with your discs

A valid operator's disc must be displayed on the windscreen of any PSV used to carry passengers for hire or reward. It should be displayed from inside the vehicle – normally adjacent to the Vehicle Excise Duty disc and so that it can be easily read from outside in daylight.



**Take note:** It is an offence to write on or alter an operator's licence disc in any way.

If your vehicle discs are lost or stolen, inform the traffic commissioner immediately in writing. Should a lost disc subsequently be found it must be returned. Where the writing on a disc has faded so that it cannot be read, or the disc has been damaged, it should be returned to the traffic commissioner who will issue a replacement disc.

As a rule you can swap discs from one vehicle to another within the same operator's licence as long as every vehicle carries a disc whenever it is used under the licence.



## 2. Types of service you can run with a PSV licence

Without further formalities you can:

- ▶ carry a party of passengers for a single payment from the organiser (this is called 'private hire') – the passengers must not pay separate fares to you or to anyone acting as your agent. This only applies to PSVs with nine or more passenger seats;
- ▶ run a coach service where separate fares are charged (but passengers must travel at least 15 miles measured in a straight line from the place where they got on – unless they need to get off in an emergency);
- ▶ run an excursion or tour for less than six consecutive weeks, regardless of distance; and
- ▶ run a long distance excursion or tour where everyone travels more than 15 miles from where they got on and then return.

If you want to run a local service (on which passengers pay separate fares and which will take them less than 15 miles) there are some more things that you must do (see 'Running a local bus service' below).

### Issues to be aware of

You can run the services described above but you should note that:

- ▶ in a vehicle with more than eight passenger seats it is against the law to ply for hire like a taxi;
- ▶ in a vehicle with eight or fewer passenger seats you cannot do any work which needs a taxi, PHV or PHC licence if the area concerned has a system of either taxi, PHV or PHC licensing – unless you are charging separate fares or it forms a small part of a large bus operation. Your local authority, or in London, the London Public Carriage Office, will tell you what the local licensing rules are for taxis, PHVs or PHCs;

- ▶ you may need another licence to run a local service in London (see below); and
- ▶ there are restrictions on the carriage of alcohol on vehicles used to take passengers to certain sporting events.

## Running a local bus service

### Outside London (see Annex 10)

If you intend to run a local bus service, before you want the service to start you must register the details, including the route and timetable, with the traffic commissioner.

Traffic regulation conditions may be in force in places where there are traffic problems or severe traffic congestion, a potential danger to road users or concerns over the level of noise and engine emissions.

These conditions may apply to all registered local services within the affected area or a certain class of service, (e.g. excursions or tours which are registered), which will be specified in the condition. If you are considering registering a local service which goes through a place where traffic regulation conditions are in force, you should contact VOSA who will provide advice and guidance on the steps that you must take.

A local authority with traffic responsibilities (i.e. a traffic authority) can ask the traffic commissioner to put traffic regulation conditions on a certain area. If a traffic authority asks for new traffic regulation conditions which would affect one of your registered services, the traffic commissioner will give you the chance to make representations at an inquiry. If conditions are put on which you think are unfair or unnecessary, you can appeal to the Administrative Appeals of the Upper Tribunal. You can get more help from *A Guide to Local Bus Service Registration* (PSV 353A or PSV 353A (Scotland)).

You must also give notice before you change or cancel the service. Before registering you should read the above mentioned guide.

For further information on bus services and the standards you must adhere to, see Annex 10.

For advice on the registration of flexible local bus services you should read *A Guide to Flexible Local Bus Service Registrations* (PSV 358A).

### Within London

There is a different system for local services with stopping places within London. The majority of services in London are operated under contract to Transport for London (TfL).

Contracts are awarded following competitive tender. There are also a small number of services that form part of the TfL bus network operated under a London Local Service Agreement with TfL. Other services including tourist and commuter coach services operate under a London Service Permit granted by TfL.

If you wish to apply for a London Service Permit, or require clarification concerning a service that you intend operating in London, you need to contact the **Licensing Manager, Surface Transport Communications, 11th Floor, Palestra, 197 Blackfriars Road, London SE1 8NJ** or email [isp@tfl.gov.uk](mailto:isp@tfl.gov.uk)

## International operations

This applies to the holders of standard international and restricted operator's licences. Both these licences authorise the operation of PSVs in the United Kingdom and abroad. A standard national licence authorises the operation of PSVs solely within the United Kingdom.

Any operator who wishes to use their PSVs to take passengers abroad to other Member States must have a Community licence, issued by the traffic commissioner. The original of the licence must be retained by the operator and a certified copy must be kept in each vehicle being used in an international transport operation.

Under EC regulations an operator licensed in one Member State is also allowed temporarily to carry out national passenger services in

another Member State without being required to have a registered office or other establishment in that State. This is known as cabotage. A Community licence is required and a certified copy of the certificate must be kept in the vehicle.

For regular services you will need to get permission from the Department for Transport, and from the appropriate authorities in the countries you are visiting.

Application forms to operate a regular service between EU Member States and between the UK and non-EU countries can be obtained from the **International Road Freight Office (IRFO)** at **City House, 126–130 Hills Road, Cambridge CB2 1NP**. Advice on international operations can be sought by telephoning **01223 531030**.

Operators who wish to operate a shuttle service are advised to contact IRFO for further advice.

For other journeys, waybills (journey forms) are required and can be purchased from the **Confederation of Passenger Transport, 3rd Floor, Drury House, 34–43 Russell Street, London WC2B 5HA**. Telephone **020 7240 3131**, fax **020 7240 6565** or email [admin@cpt-uk.org](mailto:admin@cpt-uk.org)

Not-for-profit organisations should apply to IRFO for an own-account certificate to use their vehicles to carry their own members abroad.

### 3. Hiring from other operators

#### Methods of hiring

You can hire vehicles from other operators in two ways:

1. You may want to hire vehicles whenever you have any of your own vehicles off the road for repairs. If so, you may hire vehicles for as long as you like provided that you do not operate more than the total number of vehicles authorised on your licence. You must display your own

discs in these hired vehicles. Make sure that you remove the discs from any out of service vehicles that you are replacing, or from any vehicles that are being returned to the operator from whom you hired them. You will be as fully responsible for these hired vehicles as you would be if you were their permanent operator, so you should make sure that they are in good mechanical order before you hire them. You will also be the employer of the driver.

2. You may also hire vehicles (with or without a driver) on a temporary basis for up to 14 days without replacing the discs of the operator from whom you hired them; however, you cannot just borrow a disc from another operator. There must be a gap of 14 days before you hire the same vehicle again. This is a special arrangement to cover unforeseen emergencies or peaks in your business where you need more vehicles than you have been licensed to operate. In this case, the operator who hired out the vehicle to you is still legally the operator, as long as their disc is displayed. You should make sure that the hiring agreement you have with them places every responsibility on them for maintaining the vehicles even while they are in your possession. (However, your own drivers must still carry out the daily walkaround checks as detailed in the pull-out section of the *Guide to Maintaining Roadworthiness*).



**Take note:** If you hire a vehicle from someone you are responsible for its safe roadworthy operation. You should ensure that appropriate checks are carried out before and during use. You must keep proper records of the vehicle's use including hire arrangements and maintenance, ensuring that the vehicle has a COIF.

If you hold a restricted licence, you cannot hire vehicles that carry more than 16 passengers.



## 4. Making changes to your licence

### Increasing the number of vehicles authorised under the licence

If you want to operate more vehicles than the total number authorised on your licence you should apply to vary your licence on form PSV 431. Guidance notes have been produced to help you complete your application. You should allow up to nine weeks for delivery of your licence.

You need to submit the form to the traffic commissioner at the Office of the Traffic Commissioner, at the Central Licensing Office (see Annex 14) together with any relevant fee. The traffic commissioner will then consider if you have enough money and adequate maintenance facilities or arrangements to operate the extra vehicles. If satisfied, the traffic commissioner will vary your licence and additional discs with the same expiry date as those you already have will be issued.

You may request a lesser number of discs if you wish and increase the number up to the maximum authorised as your business expands.



**Take note:** You must not run extra vehicles until this is specifically authorised by the traffic commissioner. Remember, any vehicle operated under your licence must display a valid disc.

### Reducing the number of vehicles you operate

You can also reduce the authorisation on your licence, by applying to vary your licence on form PSV 431A and returning the discs you no longer require.

### Making other changes

If your licence has conditions that stop you from operating certain types of vehicles, or lets you operate only specified vehicles, you may

apply to have the condition varied or removed from your licence.

You may need to prove to the traffic commissioner that your maintenance facilities or arrangements are now adequate for the vehicles you want to operate, or that the condition is no longer necessary or appropriate.

You may also apply to the traffic commissioner to vary or remove undertakings that you made when your licence was granted.

If your application is refused, you may appeal to the Administrative Appeals Chamber of the Upper Tribunal

### Upgrading a restricted licence

If you wish to upgrade a restricted licence to a standard licence you will have to make a fresh application to the traffic commissioner for a new licence using form PSV 421. Proof of professional competence will be required and your financial standing will need to be reconsidered. You cannot swap a restricted licence for a standard licence.

You can apply to upgrade from standard national to international by varying your existing licence. Proof of professional competence for international operations is required. You will need to return your licence documents and vehicle discs so that new ones can be issued.

### Changes in your circumstances

You must notify the traffic commissioner in writing within 28 days (by contacting the Office of the Traffic Commissioner at the central licensing office) of any of the following changes:

1. Any change in legal entity in your business:
  - ▶ if you change from being a sole trader or partnership into a limited company; or
  - ▶ if the structure of a limited company changes, resulting in a change of registered company number.
  - ▶ material change in the company such as a change of directors, or a change in share holding.



**Take note:** It is against the law to operate as a new entity without telling the traffic commissioner.

A new licence for the new entity must be obtained before operating.

2. Any cases of death of persons named on the licence, personal or company bankruptcy or liquidation of those involved in the management of the company or similar situations. In most cases the licence will be terminated automatically unless the traffic commissioner specially allows it to carry on for a specified period. At the request of the operator (or, in the case of bankruptcy, the receivers), a traffic commissioner may, in the case of restricted licence holders, grant an extension of up to 12 months or (where it appears to a traffic commissioner that there are special circumstances) 18 months. However, these extension periods are lower for standard licence holders.
3. Any change of transport manager, with evidence of the new manager's professional competence.
4. Any change of partners within a partnership firm (in some cases you may need a new licence).
5. Any relevant convictions of yourself, your transport manager, officers, employees, or agents.
6. Any change in the address for correspondence that you gave on your application.
7. Any change in the address of establishment (standard licence holders only).
8. Any change in the address of your operating centre(s).
9. Any other changes which the traffic commissioner may have required you to report as a condition of granting your licence.

The traffic commissioner may also require you to provide information about the vehicles that are used under your operator's licence. It is up to the traffic commissioner to decide

the exact details of the information required but it is likely to include details of the vehicle registration numbers.



**Take note:** You have a legal duty to notify VOSA as soon as practicable of any failure or damage to your vehicle that could affect safety of your passengers or other road users and of any alterations made to its structure or fixed equipment.

**Every five years you will be sent a list of the information held on your licence so that you can check it and update any details that are incorrect. Do not wait for the checklist to tell the traffic commissioner of any changes; you must report them as soon as possible when alterations occur and no later than 28 days afterwards.**

## 5. Additional requirements

### Drivers Certificate of Professional Competence

Drivers of a PSV with nine or more passenger seats must hold a valid vocational driving licence. This will be shown on a unified driving licence which shows all driving entitlements, both ordinary and vocational.

From 10 September 2008 drivers will need to hold a Driver's Certificate of Professional Competence (DCPC).

- ▶ From this date any new driver will need to pass the initial DCPC theory and practical test, in addition to the licence acquisition.
- ▶ Existing drivers will have acquired rights if they hold a vocational licence issued before 10 September 2008. Drivers will hold acquired rights up to and including 9 September 2013.
- ▶ Regular periodic training will be required by this date to maintain the qualification. Periodic training is continuing professional development for bus and coach drivers.

- ▶ A DCPC requires the driver to complete a minimum of 35 hours of approved periodic training during every five-year cycle.

All professional drivers need to complete 35 hours of 'periodic training' every five years in order to maintain their driver CPC status and continue driving professionally. Drivers with acquired rights will be able to use their driving licence as proof of their Driver CPC status until they have completed their 35 hours training within the first five year cycle, at which point they will be issued with a Driver Qualification Card.

Operators should have systems in place to check the CPC status of their drivers and ensure that their drivers have obtained their CPC by September 2013 (PCV). The traffic commissioners will take a serious view of operators who employ drivers who do not hold a valid Driver CPC initial qualification or do not have a valid CPC periodic qualification.

Failure to complete the training in time may mean that the driver is committing an offence and could be liable for a fine of up to £1000. Employing a driver who has failed to complete their training could have a bearing on the operator's good reputation and may result in the traffic commissioner taking action against the operator's licence.

## Notifications under section 20 of the Public Passenger Vehicles Act 1981

The holder of a PSV operator's licence is required to notify VOSA of any failure of or damage to any PSV owned by them, which may affect the safety of passengers or of persons using the road. A written report should be submitted in the event of any of the following occurring:

- ▶ Fatalities
- ▶ Serious injuries, this being defined as breakage of any bone, damage to a major organ or hospitalisation overnight.
- ▶ Allegations of safety defect.
- ▶ Serious damage as a result of the incident, this being defined as major body and/or mechanical components damage, requiring specialist recovery and vehicle being taken out of service for repair.
- ▶ Vehicle catching fire
- ▶ At the request of the police

The report should be submitted as soon as is practicable, using the standard form PSV 112. The vehicle must not be repaired or used on the public highway until the staff at the local area office have contacted the operator.

## 6. What if I get it wrong?

Throughout the life of the licence you must comply with the requirements of the legislation. Failure to do so may result in you being prosecuted and/or the traffic commissioner taking action.

### Evidence

Evidence of non-compliance can be brought to the traffic commissioner's attention from a number of sources, usually VOSA examiners. There is a wide range of powers available to VOSA and some examples are detailed in Annex 12.

The traffic commissioner will consider taking action against your licence if:

- ▶ you no longer meet the requirements of good reputation or financial standing;
- ▶ in the case of a standard licence, there is no longer a professionally competent person working in the firm (see Annex 5); or you cease to have an address of establishment within GB; or you cease to have access to a vehicle;
- ▶ you make a false statement to get a licence, or have not kept to an agreement you made when you applied for your licence;
- ▶ you have broken a condition or not kept any undertaking on your licence;
- ▶ a Vehicle Examiner has prohibited the use of any of your vehicles because of their dangerous condition;

- ▶ your vehicles have not been maintained in a safe and roadworthy condition;
- ▶ rules surrounding the safe operation of vehicles have not been adhered to;
- ▶ rules surrounding drivers' hours regulations have not been adhered to;
- ▶ rules surrounding driver licensing, including driver CPC, have not been adhered to.
- ▶ there has been a change of circumstances which affects your suitability as an operator; or
- ▶ there has been a material change, e.g. a business has changed from a sole trader or partnership to a limited company. This would constitute what is known as a change in legal entity.

If you operate a local service unreliably or in a dangerous way, the traffic commissioner can put a condition on your licence which will stop you operating either that service, or any local services. If there have been maintenance defects, or if vehicles have been swapped between operators to avoid enforcement, the traffic commissioner may specify that you only operate certain vehicles and no others.

### **The action the traffic commissioner can take**

The traffic commissioner has the power to revoke your licence (take it away) or to suspend it so that you cannot use it for a given time or until some defect in your operation has been put right.

The traffic commissioner may also reduce the number of vehicles authorised or put conditions on your licence so that you can operate only certain types of vehicle (e.g. nothing larger than a minibus).

The traffic commissioner can also put conditions on your licence to control coaches carrying football supporters, setting out the times you may leave and arrive and what breaks in the journeys you may take. This is also covered by a voluntary code of practice.

The traffic commissioner can also impose a financial penalty for operating local services in an unreliable manner.

In most cases the traffic commissioner will ask you and/or your transport manager(s) to come to an inquiry before any action against your licence is taken. If the traffic commissioner does not invite you to an inquiry, you have the right to ask for an inquiry to be held.

In some cases, the traffic commissioner may take action immediately (e.g. in the interests of public safety) and the inquiry will be held later. You can be represented by a legal or professional adviser if you wish.

### **Appealing against a decision made by the traffic commissioner**

You may appeal to the Administrative Appeals Chamber of the Upper Tribunal if the traffic commissioner takes regulatory action against your licence or imposes a condition.

If your licence has been revoked, suspended or had conditions placed on it, this starts on the date stipulated by the traffic commissioner.

You can ask the traffic commissioner to delay any decision pending appeal and if the traffic commissioner refuses, you can apply to the Administrative Appeals Chamber of the Upper Tribunal to make a special direction (called a 'stay') which will let you carry on as before until the appeal is heard.

The Administrative Appeals Chamber of the Upper Tribunal must reach a decision on this application for a stay within 14 days. Whatever they decide this will not affect the result of the appeal when it is heard.

The application form and associated guidance notes are available from the Upper Tribunal Administrative Chamber, (address at Annex 14).

### **Applying for another licence when your licence has been revoked**

You can apply for another licence if you have had one revoked but you should wait until you



have put your affairs in order and can satisfy the traffic commissioner that you are now a suitable person to operate PSVs. You must declare all previous licences when making a new application.



**Take note:** The traffic commissioner has the power to disqualify anyone whose licence has been revoked from holding an operator's licence in that or any other traffic area indefinitely or for a specified period of time. If the disqualification applies to another traffic area, the licence will automatically be suspended from the date of the disqualification order.

A disqualification order may also stop you from operating in a partnership or being a director or major shareholder in any company that operates PSVs. Operator's licences held by partnerships or companies in which you are involved may also be revoked, but the traffic commissioner is likely to take such a severe step only where it is very clearly justified. You have a right of appeal to the Administrative Appeals Chamber of the Upper Tribunal against a disqualification order.

If, after a period of time, you feel your circumstances have improved, you may apply to the traffic commissioner to have the order cancelled or varied.

## 7. Where to get further information

Annex 13 lists various Acts of Parliament, regulations, guides and booklets that may answer your questions more fully.

For further information, you may also visit [www.businesslink.gov.uk/transport](http://www.businesslink.gov.uk/transport)

If you need any more help or advice, please contact VOSA (see Annex 14).

The Confederation of Passenger Transport may also be able to help you.

If you are interested in operating local bus services you should get in touch with the appropriate local authority, or equivalent:

- ▶ for services in London – Transport for London;
- ▶ for services in the six English Metropolitan areas – the Passenger Transport Executive;
- ▶ for services in other parts of England or any part of Wales – the Transport Co-ordinating Office for the county/unitary authority; or
- ▶ for services in Scotland – the Transport Co-ordinating Officer for the relevant council.



# Annex 1:

## Using a stretched limousine on an operator's licence

There has been an increase in the use of stretched limousines on our roads. Although different in appearance to traditional vehicles due to the body style, they are still classed as cars, minibuses, coaches or buses. All stretched limousine style vehicles need to be operated under a licensing system as it is a criminal offence to operate a vehicle for hire (i.e. to convey paying passengers in the course of a business, for payment or otherwise) without a licence.

The vast majority of stretched limousines used in Great Britain are imported from the USA. Legislation governing the construction and use of vehicles is significantly different in the USA and therefore these vehicles will need modifications (significant modifications in the case of larger vehicles) in order to be compliant with British requirements and suitable for hire.

Stretched limousines can be split into three separate groups based on the seating capacity. The vehicle type is set out in the European Community Whole Vehicle Type Approval (ECWVTA) framework directive and classes the vehicles as follows:

- ▶ M1 vehicles designed and constructed for carriage of passengers and comprising no more than eight seats in addition to the driver's seat;
- ▶ M2 vehicles designed and constructed for the carriage of passengers, comprising more than eight seats in addition to the driver's seat, and having a maximum mass not exceeding 5 tonnes (essentially minibuses); and
- ▶ M3 vehicles designed and constructed for the carriage of passengers, comprising more than eight seats in addition to the driver's seat, and having a maximum mass exceeding 5 tonnes (large coaches and buses).

The main purpose of type approval is to ensure that all vehicles have been designed and constructed to modern safety and environmental standards before they can be used on public roads.

The classifications of the vehicle type will dictate the type approval and registration requirements that the vehicle will have to meet and also the licensing system that the vehicle must be operated under.

### Limousines with more than eight passenger seats (M2 and M3)

Most of these large limousines were originally built in the USA and do not comply with British requirements for a vehicle of this passenger capacity. The main areas of non-compliance are the turning circle, size of emergency exit and lack of 'e-markings' on mirrors, seat belts, glass and lights to show compliance with European laws.

Traditionally these vehicles have required a Certificate of Initial Fitness (COIF) from VOSA in order to be registered and used to carry passengers for hire or reward. However, since April 2009 it has also been possible to apply for Individual Vehicle Approval (IVA) or type approval for such vehicles. From 29th October 2011, COIF will no longer be an acceptable route to registration, except for vehicles built more than 3 months prior to this date (i.e. manufactured prior to 29th July 2011).



**Take note:** It is essential if you are considering using a large limousine that it has been built and approved to full COIF, IVA or approval requirements, otherwise you will be committing an offence

Once a vehicle has obtained the relevant approval it can be licensed in exactly the same way as any traditional bus or coach.



## Limousines with up to eight passenger seats (M1)

Most of the small limousines were originally built in the USA and do not comply with British requirements for a vehicle of this passenger capacity. To become 'road legal' in Great Britain the vehicle must meet the ECWVTA standards or can be submitted to VOSA for individual vehicle approval (IVA), formerly known as the Single Vehicle Approval scheme (SVA), which checks compliance with British construction requirements. Granting approval allows registration with DVLA. DVLA will refuse to register a vehicle without a type approval or IVA certificate.



**Take note:** It is essential if you are considering using an eight passenger seat limousine that it has been built and approved to ECWVTA or IVA standards, otherwise you will be committing an offence.

Limousines with up to eight passenger seats are normally operated as private hire vehicles (PHVs), which means they can be ordered by phone but not hailed in the street. The PHV rules do not require separate fares; a 15 mile rule; or a 'tours and excursions' exemption provision (see below). The basis on which limousines operate under a PHV licence is far less restrictive than a PSV operator's licence.

PHV licences are administered outside London by the relevant local authority or in London by Transport for London (TfL), who have discretion on which vehicles they will license.

There is also the possibility of licensing limousines with traffic commissioners as small buses. Although the legislation was not intended to facilitate this, a traffic commissioner can grant a licence.

Where an operator intends to operate services using a stretched limousine as a small PSV, the traffic commissioner will require undertakings from the applicant, and these will be recorded on the licence.

You must keep to any such undertakings, or the traffic commissioner may take regulatory action against your licence. Examples of these undertakings are in the following annex.



**Take note:** Local authorities license supply of alcohol and if alcohol is consumed in your vehicles, the relevant local authority must be satisfied that this is legal, otherwise your reputation as an operator will be called into question. The supply of alcohol as part of a package to provide a limousine service requires an alcohol licence or a criminal offence is committed.



# Annex 2

## Use of small vehicles under a PSV operator's licence

For a small vehicle, that is a vehicle with eight or fewer passenger seats, to be classed as a PSV it must be used to carry passengers at separate fares in the course of a business of carrying passengers.

It is not a PSV as it is not being used in the course of a business of carrying passengers if:

- a) the fare or aggregate of the fares paid does not exceed the running costs of the vehicle for the journey; and
- b) the arrangements for the payment of fares by the passenger or passengers were made before the journey began

If the vehicle is being used in the course of a business of carrying passengers there are further conditions that must be met in order for the vehicle to be classed as a PSV.

### 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

- c) 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 are operating small vehicles and cannot meet any of the criteria detailed above you are probably operating the vehicle(s) as a PHV and it should not be used under a PSV operator's licence. You should immediately contact your local authority to seek advice on obtaining a PHV licence.



## Undertakings

Where an applicant intends to use a small vehicle under a PSV operator's licence, the traffic commissioner will require undertakings from the applicant.

You must keep to any such undertakings, or the traffic commissioner may take regulatory action against your licence. Examples of these undertakings are as follows:-

- ▶ The operator will advise the traffic commissioner of the type and registration numbers of vehicles used under that licence, and will advise of any changes.
- ▶ The operator will not use any vehicle without prior written approval from the traffic commissioner.
- ▶ In respect of any small vehicle used under the licence, the operator will provide an audit trail to the traffic commissioner or any enforcement body on request, which 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 above were met. (This undertaking does not apply where the vehicle is being used under the provisions of Section 79A).
- ▶ Each small vehicle to be used under the licence will have a V5/V5C registration certificate, and the operator must possess and produce when asked to do so a document confirming this.
- ▶ 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*.
- ▶ At no time will the small vehicle carry more than eight passengers.
- ▶ The operator will at all relevant times comply with the legislation in respect of charging separate fares and retain 12 months' evidence of this compliance for each journey. (Separate fares are not required where the vehicle is being used under Section 79A).
- ▶ Drivers of small vehicles will carry with them documentary evidence that separate fares have been charged for the current journey. (Separate fares are not required where the vehicle is being used under Section 79A).
- ▶ The operator will not use a vehicle that does not meet the ECWVTA standards or British construction and use requirements or the Road Vehicles Approval Regulations 2009 (as amended).
- ▶ The operator or driver will not break the alcohol laws.

## Annex 3:

# Special restricted PSV operator licences

This annex is for proprietors of licensed taxis and private hire vehicles (PHVs) who want to use their vehicles to run a local bus service.

To be able to run a local bus service you must first be issued with a PSV operator's licence. Normally this would be a restricted or standard licence but holders of licensed taxis or private hire cars can apply for a special restricted operator's licence. This licence allows taxis and PHVs to be used to provide local bus services.

The application form is available from [www.businesslink.gov.uk/transport](http://www.businesslink.gov.uk/transport) or from VOSA and on completion should be sent, with the relevant fee, to VOSA. No one can object to your application and the licence will be granted once the traffic commissioner has checked that you hold at least one taxi or PHV licence.

The licence covers you in perpetuity for all the taxis, PHVs or PHCs for which you hold licences, as long as you pay the relevant fee to keep your licence in force. Although the number of vehicles you have may change during this time you will not need to change your special licence. You may use any vehicle you own which is licensed as a taxi, PHV or PHC.

### Rules

You must undertake to operate a local service, which must be registered with the traffic commissioner before you want it to start. If the service is to run in London then you will need a permit from Transport for London (TfL).

It must have at least one stopping place in the area of the district council that issued your taxi or PHV licence. Other stopping places can be in any other district.

Any vehicle you use under a special restricted licence must be a licensed taxi, PHV or PHC. When being used on a local service the vehicle must not be used to ply for exclusive

Office of the  
Traffic Commissioner

Contact centre:  
0300 123 9000\*  
web: [www.businesslink.gov.uk/transport](http://www.businesslink.gov.uk/transport)

**PSV356: Application to a Traffic Commissioner for a Special Restricted Public Service Vehicle Operator's Licence**

**About this form**

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

Under the provisions of the Transport Act 1985 (as amended) references to private hire vehicle licence include private hire car licence.

**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.**

**Your contact details**

1) Name			
2) Trading Name (if any)			
3) Address (please give the address at which you can be contacted for business purposes)			
	Postcode:		
4) Contact telephone numbers (inc STD code where appropriate)	Business:	Home:	Fax:
5) E-mail address			Mobile:

\*Calls provided by BT are charged at a low rate. Charges from other providers may vary.

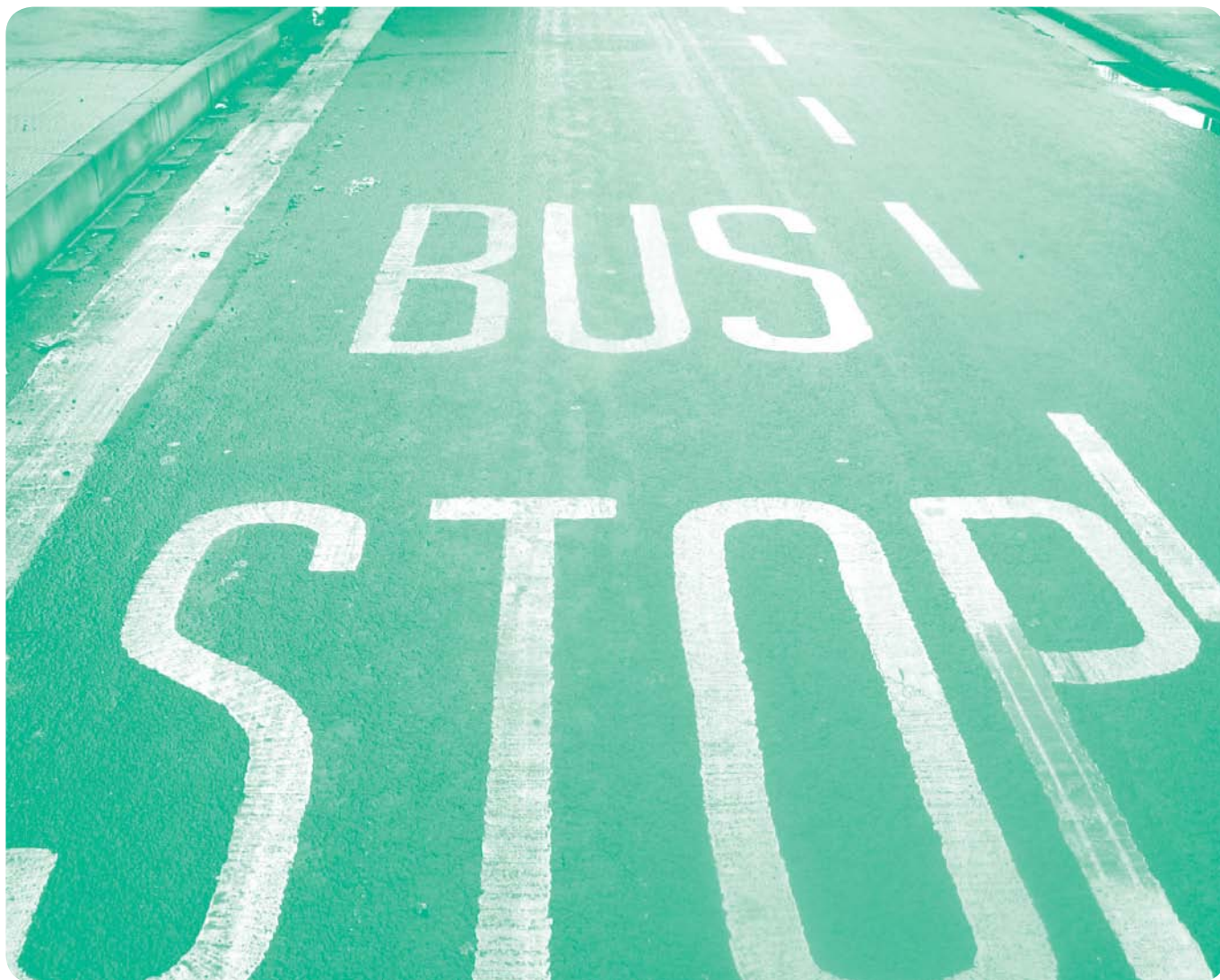
1 PSV356 (Revised January 2012)

hire, or pick up passengers waiting at taxi ranks. There must be a notice on the front of the vehicle with the word 'Bus' on it in letters at least 60mm high and showing the route, the destination or the kind of service you are running. You must also have a fare table on display in the vehicle so that passengers can check the fare for any journey, or how the fare is worked out.

The vehicle can be used to operate taxi or private hire services when it is not being used to provide a local bus service.

Once the service has been registered you are committed to running at the times you said it would and along the registered route.

Before registering you should read *A Guide to Local Bus Service Registration*, or for flexible



bus services *A Guide to Flexible Local Bus Service Registrations*.

Local bus services (other than excursions and tours) are the only type of PSV operation you can undertake. You cannot run any other type of PSV service with your taxis or PHVs (e.g. an express service with stopping places more than 15 miles apart).

### **Driver licensing requirements**

The driver must be a licensed taxi, PHV or PHC driver and should be licensed by the same district council as the vehicle. Drivers must not be used unless they also hold the appropriate taxi, PHV or PHC licence.

### **Other PSV operator's licences**

In addition to holding a special licence you may apply for a restricted or standard licence.

A restricted licence will let you run two vehicles with up to eight passenger seats as PSVs (but not as taxis, PHVs or PHCs) as well as your taxi(s). If the bulk of your earnings will still be from taxi, PHV or PHC operation, you may be granted a restricted licence for two PSVs with up to 16 passenger seats.

Should you wish to operate larger vehicles or more than two vehicles then you will need to apply for a standard licence.

You should read the main part of this guide for more information.



# Annex 4:

## Not-for-profit transport

### Permit schemes

Some operators of small vehicles, minibuses and, in a few cases, larger buses are free from PSV operator licensing if they use their vehicle under a permit. These permits let the holder carry fare-paying passengers in fairly restricted circumstances.

This annex gives only an outline of the subject. For more information please see the guide PSV 385 *Passenger transport provided under Section 19 or Section 22 permits*.

There are two permit schemes:

- ▶ standard and large bus permits: issued under section 19 of the Transport Act 1985, as amended; and
- ▶ community bus permits: these are issued under section 22 of the Transport Act 1985, as amended.

### Section 19 permits

Not-for-profit groups concerned with education, religion, social welfare, recreation (standard permits only) or other activities of benefit to the community can get permits. The standard permit is for a vehicle that can carry up to 16 passengers. These permits are issued either by traffic commissioners or designated bodies (local authorities, various national charities or church organisations etc). They allow the holder of the permit to carry members of the group (e.g. Scouts) or people whom the group aims to help (e.g. disabled people). The permit gives details of those who may use the vehicle but it must not be the general public.

Not-for-profit groups that act as 'umbrella organisations' for small bodies concerned with education, religion, social welfare or other activities that benefit the community can get a large bus permit for vehicles with more than 16 passenger seats. You can get these only from the traffic commissioner, who must be satisfied that the group has adequate facilities or arrangements for maintaining the vehicles.

Permits do not allow a vehicle to be used with a view to making a profit, or to be used in connection with a profit-making activity. Permits are only valid for use in the UK.

### Community bus permits

Community bus permits are meant for a different purpose. They are issued to groups that want to run a local bus service on a non-profit making basis.

Unlike section 19 permit vehicles, community buses can carry the general public, and their main use is to give the public a local bus service (which must be registered with the traffic commissioner). Permits are issued by the traffic commissioner who can, at their discretion, allow the operator to use the vehicle for non-local services (e.g. contract hire) that help to give financial backing to the local operation. Community bus operators have to run their local services just as reliably as professional operators. The traffic commissioner must also be satisfied that their maintenance facilities or arrangements are adequate. The traffic commissioner can revoke the permit if standards are not maintained.

Permits issued on or after 6th April 2009 can authorise the use of a vehicle which can carry seventeen or more passengers. The vehicle must have a COIF. The vehicle must be built or adapted to PSV standards. It must have a COIF, a Vehicle Type Approval certificate or a Certificate of Conformity to show that it meets these standards. Before authorising the use of vehicles of this size the traffic commissioner must be satisfied that appropriate maintenance facilities or arrangements are in place. If the traffic commissioner is not satisfied then only vehicles which can carry nine to sixteen passengers will be allowed to be used under the permit.

It should be noted that community bus permits issued before 6th April 2009 do not authorise the use of vehicles which can carry seventeen or more passengers.



## Annex 5: Transport managers

A professionally competent person must be nominated as transport manager on a standard licence. This person can be you if you are qualified or a qualified transport manager that you employ. The person does not have to be part of your full-time staff but must have and be able to demonstrate continuous and effective control of the transport operations. The business may employ more than one transport manager. The professionally competent person must also be of good repute.

If the transport manager is changed at any time, you must notify a traffic commissioner within 28 days.

A person can be professionally competent for national operations only, or for both national and international operations. If the transport manager has professional competence for national operations only, you should apply for a standard national licence. If they have professional competence for both national and international operations you can apply for a standard international licence.

Changes to the rules concerning transport managers came into effect on 4 December 2011. If you require any further information on how these requirements apply, please contact the Central Licensing Office.

### The changes are as follows:

1. There will be two types of transport manager – “**internal**” and “**external**”;

#### Internal transport managers

This type of transport manager is closely connected with the operator. To qualify, they must meet three requirements:

- ▶ Be resident in a European Union country
- ▶ Effectively and continuously perform their transport manager role for the operator in question

- ▶ Have a genuine link to the operator, such as being a full-time or part-time employee, director or owner.

The same person can act as an ‘internal’, part-time, employee transport manager for more than one operator, and therefore be named on more than one operator’s licence. However, in each case, the traffic commissioner would need to be satisfied that the person had a genuine link to the operator and satisfied the requirement of effective and continuous management, as set out above, is met.

#### External transport managers

When an operator does not:

- a. Himself / herself fulfil the role of transport manager (i.e. they lack the professional qualification and are perhaps an owner/driver or sole trader); or
- b. Employ a qualified transport manager on a full or part-time basis (i.e. the operator does not have an ‘internal’ transport manager).

The operator may ‘hire in’ a transport manager – e.g. a consultant transport manager under contract to an operator on a part-time basis. This is considered to be an ‘external’ transport manager. The contractor must have effective and continuous management responsibility for the transport activities of the operator and:

- ▶ Be of good repute and be resident in a European Union country
- ▶ Have a contract with the operator that specifies the tasks they perform as transport manager. The new Regulation sets out, in broad terms, what that contract should cover, although contract details will be a matter for individual transport managers and operators to determine.

- ▶ Only work for a maximum of 4 operators with a combined maximum total fleet of 50 vehicles – meaning that across all four operators, they cannot have responsibility for more than 50 vehicles. Individual Member States have freedom to lower the 4/50 maximum and traffic commissioners are able to set lower limits in individual cases.
- ▶ Each transport manager must act solely in the interests of the operator and independently of transport customers.

At the discretion of the traffic commissioner, it is possible for internal transport managers to do some consultancy work for another standard licence holder - as an external transport manager.

2. From 4 December 2011, traffic commissioners can take regulatory action against both internal and external transport managers, independently of any action they may decide to take against the licence holder.

## Declaration that a transport manager is “unfit” to manage transport operations

At a public inquiry, a traffic commissioner may decide that a transport manager is unfit to oversee transport operations. If this is the case, their Certificate of Professional Competence will no longer be valid in any EU Member State during any period of disqualification - i.e. **they will not be able to work as a transport manager in the UK or any other EU Member State.**

Where a traffic commissioner has taken such action, the transport manager may also appeal to the Tribunal (see page 22).

## Establishing professional competence

**There are three ways professional competence can be established. These are:**

### 1. Holding grandfather or acquired rights

There are new rules which came into effect from 4th December 2011 which mean that the ‘Grandfather Rights’ exemptions need to be renewed to remain valid after 4th December 2011.

A new certificate (which will now be known as “Transport Manager Acquired Rights”) will have been automatically issued by the Department for Transport to all transport managers with ‘grandfather rights’ who are listed on an operator’s licence.

If you were a grandfather rights holder but not listed on an operator’s licence in late 2011, you will need to apply to the Department for Transport to have those rights renewed. An application form to renew grandfather rights is available for download at <http://assets.dft.gov.uk/publications/goods-vehicle-operators-licence/application-form.doc>.



**Take Note:** You have until **4 December 2013** to apply for a replacement certificate.

These certificates will not be available after that date and, without one, your grandfather rights will no longer be valid.

### 2. Possession of a Transport Manager Certificate of Professional Competence

From the 4th December 2011 a number of Awarding Organisations are able to offer the Certificate of Professional Competence (CPC) examination. A list of Awarding Organisations who have approval to supply the exam is provided at the end of this section. We will update the list over time.

From 4 December 2011 the national Transport Manager CPC examination will be discontinued – all future examinations will be for the

international Transport Manager CPC. Existing national Transport Manager CPCs will remain valid for national operations after that date.

There are no academic entry requirements for the examination. Neither are there any fixed rules or requirements for study. You can prepare for the examination by:

- ▶ attending a residential course;
- ▶ attending a non-residential course;
- ▶ studying with the help of a special learning pack or by a correspondence course; or
- ▶ studying without assistance.

For details of examination dates, test and study centres, and a more detailed syllabus, contact an examination provider.

List of current Transport Manager CPC Awarding Organisations:-

- ✉ OCR Examinations Board  
Progress House  
Westwood Way  
Coventry CV4 8JQ
- ☎ 02476 851509
- 🌐 [www.ocr.org.uk](http://www.ocr.org.uk)

### 3. By holding certain professional qualifications given by one of the following groups:

There are a number of other qualifications that are acceptable as proof for professional competence for the operation of PSVs— as long as they have been obtained before 4 December 2011. You are likely to be exempt from CPC examination if you have one of these qualifications listed below.

The bodies who provided the original qualifications may have provided qualified persons with new certificates of Transport Manager CPC exemption in late 2011. For licences granted on or after 4 December 2011 an accompanying CPC exemption certificate issued by the examination body will be

required to claim exemption from the Transport Manager CPC examination. If you do not have an exemption certificate, but believe you qualify for one, please contact your examining body listed below.



**Take note:** These qualifications remain valid as proof of professional competence but only for those who held the qualification on or before the **4th December 2011**.

#### For national and international operations:

- ▶ Fellow (FCILT) or Chartered Member (CMILT) of the Chartered Institute of Logistics and Transport by examination and/or formal accreditation in road passenger transport, on production of the exemption certificate issued by the Institute;
- ▶ Member or Associate Member of the Institute of Road Transport Engineers;
- ▶ holder of the Institute of Logistics and Transport Certificate in Logistics and Transport with an endorsement in road passenger transport, on production of the exemption certificate issued by the Institute; or
- ▶ Associate of the Institute of Transport Administration by examination.

#### For national operations only:

- ▶ holder of the Royal Society of Arts Certificate in Road Passenger Transport. This certificate exempts you from the CPC only if it was obtained after May 1984.
- ▶ Member (MILT) of the Chartered Institute of Logistics and Transport by examination and/or formal accreditation in road passenger transport, on production of the exemption certificate issued by the Institute;
- ▶ Associate of the Institute of Road Transport Engineers (by examination); or
- ▶ holder of the Institute of Logistics and Transport Certificate in Logistics and

Transport with an endorsement in passenger transport coordination, on production of the exemption certificate issued by the Institute.

## **Validity of professional competence in other EU member states (passenger transport)**

If you need to prove your professional competence in another EU country, you will require an international qualification. Depending on the type of qualification, you may also need an additional certificate.

A RSA or OCR full professional competence certificate, issued no earlier than March 1992 (whether it is national or international), is valid in any EU country.

If you hold any other qualification, you will also need to get a mutual recognition certificate. This is available for a nominal fee. For more information, contact VOSA's Central Licensing Office.



## Annex 6:

# Relevant convictions and penalties

### Rules for public service vehicle operators and their staff

This annex concerns all those who either hold a PSV operator's licence, or who are in the process of applying for one, including persons in partnership and those acting on behalf of a company. It aims to summarise what the relevant convictions are, and when they should be reported.

Section 19 of the Public Passenger Vehicles Act 1981 requires those who hold a PSV operator's licence to report certain convictions of themselves and those who work for them to the traffic commissioner. It places a similar requirement on those who are applying for a PSV operator's licence. Convictions that have to be notified are known as relevant convictions.

In assessing whether an operator or applicant meets the requirement to be of 'good repute', the traffic commissioner shall take account of any relevant evidence; and in particular must consider relevant convictions. How much weight the traffic commissioner gives to each conviction will depend on the seriousness of the offence, and the extent to which it reflects on the operator's (or applicant's) fitness to manage a passenger transport business.

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 or licence holder, the nominated transport managers(s) and, where appropriate, officers of the company,

Details of which convictions you need to declare are given at below. These include

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.

Sentence	Rehabilitation period if over 18 at the time of sentencing	Rehabilitation period if under 18 at the time of sentencing
A sentence of imprisonment or corrective training for a term exceeding 2½ years or preventative detention or detention during Her Majesty's pleasure or imprisonment or detention for public protection	This will never become "spent"	This will never become "spent"
Imprisonment or youth custody for 6 months to 2½ years	10 years	5 years
Imprisonment or youth custody up to 6 months	7 years	3½ years
Fine, community service/community punishment order or compensation order	5 years	2½ years
Bind over, conditional discharge or supervision order	One year, or when the order ceases to have effect, whichever is later	One year, or when the order ceases to have effect, whichever is later
Absolute discharge	6 months	6 months
Driving disqualification	Once the disqualification has ceased	Once the disqualification has ceased

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.

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 or licence holder
- ▶ Where the applicant or licence holder is a partnership, any partner in that partnership
- ▶ The company and its officers, where the applicant or licence holder is a company

- ▶ Any transport manager nominated in the your application or named on your licence
- ▶ Any employee or agent of the applicant or licence holder

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
- ▶ 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.

These details must be given on your application form.

If any relevant convictions occur in the period between the submission of your application and a decision being made on your application, you must inform the traffic commissioner immediately

If you are the holder of a PSV operator's licence, you must continue to report relevant convictions throughout the currency of the licence as follows:

- ▶ those of yourself (or any company holding the licence) within 28 days of the conviction;
- ▶ those of the transport manager, if they concern offences committed in the course of your PSV business, within 28 days of the conviction; and
- ▶ those of any other officer, employee or agent, if they concern offences committed in the course of your PSV business, within 28 days of their coming to your knowledge.

If you have any relevant convictions, you must report them even if they occurred in the course of a business other than the one for which you hold or are seeking a licence. In the case of your proposed transport manager you should, on application if so requested, report all relevant convictions, including those incurred outside your own business. Thereafter you need report only those incurred by the transport manager in your business as a road passenger transport operator.

You are not required to report convictions incurred by your other employees outside your passenger transport business (e.g. in previous jobs, or in any different business). But you should bear in mind that any misconduct by an operator or employee may put the operator's good reputation at risk, even if it does not amount to a relevant conviction.



**Take note:** There is also a separate requirement to report convictions on an application for a passenger-carrying vehicle driver's licence.

### Partnerships and limited companies or a limited company

When persons in partnership apply for, or hold, a PSV operator's licence, every one of the partners and directors must meet the requirement of 'good reputation', so the relevant convictions of each person must be notified as if they were the operator.



## Annex 7:

# Financial requirements

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 that they have sufficient financial resources 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 are 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. As the rate may be subject to change every year you should contact VOSA to obtain the up to date requirements. **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.

The traffic commissioner may allow documents in a different name, but this must be supported by a statutory declaration signed by the person(s) holding the money showing that it is available to other person(s). Evidence of the availability of the funds belonging to the person making the offer must be seen. (This method of financing could apply, for instance, where a mother wishes to support a son, or if a wife wants a joint account to be available for her husband's business, but is not generally suitable for larger enterprises.)

In the case of a Limited Company and Limited Liability Partnerships (LLPs) the funds must be held within the company. The traffic commissioner will consider the merits of group and cross company guarantees and will require evidence of the financial standing of the guarantor.

### Bank statements

You should provide **original** bank or building society statements for the past 28 days, the last balance of which must not be more than 2 months from the date of receipt of the application. 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 28 day period.

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.

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 28 day period the funds available meet the criteria. Where a credit card account is the sole source of evidence to prove the availability of finance the traffic commissioners is 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 the 28 day period, an opening balance meeting the requirement, together with an explanation regarding the source of funds, may be accepted. However, should the licence be granted, the operator may be required to submit further financial evidence within a specified period after the date of grant (likely to be 6 to 12 months).

### 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 three 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.

### Standard Licence applicants only

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 Union Member State.



## Annex 8:

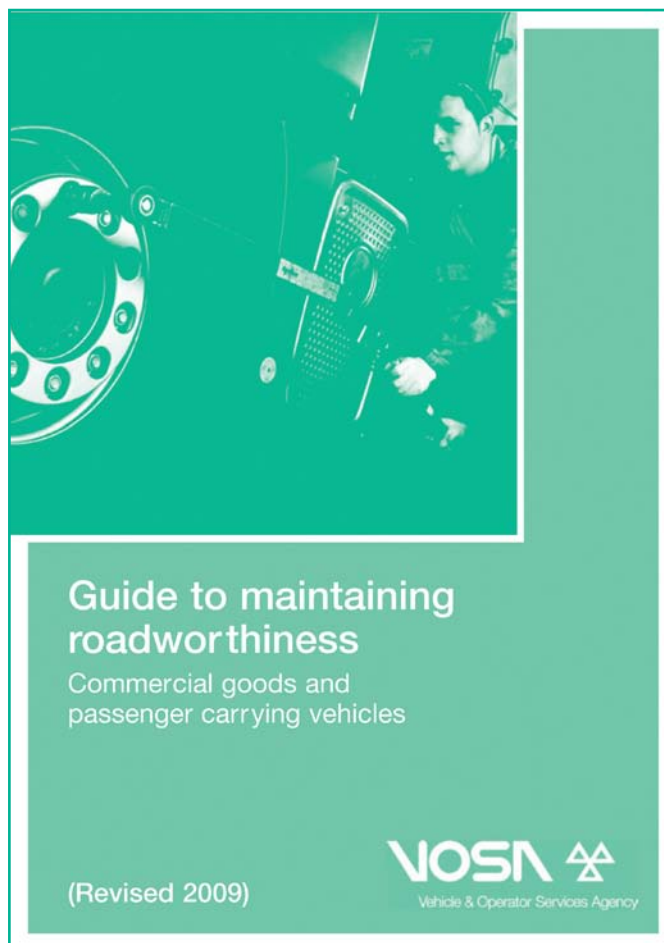
# Maintenance arrangements

VOSA attaches great importance to proper maintenance, and has produced a guide entitled *Guide to Maintaining Roadworthiness: Commercial Goods and Passenger Carrying Vehicles* jointly with the Confederation of Passenger Transport, Freight Transport Association and Road Haulage Association. The guide can be downloaded from the website at [www.businesslink.gov.uk](http://www.businesslink.gov.uk)

A summary of the guide is reproduced below.

### Summary of Guide to Maintaining Roadworthiness: Commercial Goods and Passenger Carrying Vehicles

1. A daily walkaround check must be undertaken by a responsible person before a vehicle is used.
2. First-use inspections are essential for operators who lease, hire or borrow vehicles, including trailers, from other people. Inspections wherever vehicles and trailers have been off the road for some time are essential.
3. Drivers must be able to report promptly any defects or symptoms of defects that could adversely affect the safe operation of vehicles. Reports must be made in writing and provision should be made to record details of any rectification work done.
4. Drivers' defect reports that record any faults must be kept for at least 15 months.
5. Operators must ensure that checks are made regularly of items that affect roadworthiness.
6. Safety inspections must include those items covered by the appropriate Department for Transport annual test.
7. Safety inspections should be pre-planned preferably using a time-based programme.
8. The system of safety inspections must be regularly monitored particularly in the early stages.
9. Any remedial work carried out arising from safety inspections must be the subject of a written record.
10. The safety inspection report must include:
  - ▶ vehicle details;
  - ▶ a list of all items to be inspected;





- ▶ when and by whom the inspections are carried out;
  - ▶ the result of the inspection;
  - ▶ details of any rectification work; and
  - ▶ a declaration that defects have been rectified satisfactorily.
11. On some types of vehicle and operations, intermediate safety checks may be necessary.
  12. Records of safety inspections must be kept for at least 15 months.
  13. Staff carrying out safety inspections must be competent to assess the significance of defects. Assistance must be available to operate the vehicle controls as necessary.
  14. There must be a system to ensure that unroadworthy vehicles are removed from service.
  15. Operators who undertake their own safety inspections must have adequate facilities and tools available. They must be appropriate to the size of fleet and type of vehicle operated.
  16. Operators should have access to a means of measuring brake efficiency, setting headlamp aim and measuring exhaust emissions.
  17. An operator is responsible for the condition of vehicles inspected and/or maintained by their agents, contractors or hire companies (this includes trailers).
  18. Operators who contract out their safety inspections must draw up, and have approved, a formal written contract with an inspection agency or garage. Such operators must have a means of regularly monitoring the quality of work produced for them.
  19. The dates when safety inspections are due must be the subject of forward planning.
  20. A maintenance planner or wall chart should be used to identify dates at least six months in advance of when safety inspections are due.
  21. Any system of maintaining roadworthiness must be effectively and continually monitored.
  22. Any change by licensed operators to arrangements for safety inspections must be notified to VOSA without delay.
  23. Drivers must be given clear written instructions about their responsibilities.

## Annex 9:

# Monitoring procedures and systems

The table below provides a summary of best practice advice on the procedures and systems to put in place in order to comply with the law.

As an operator, it is your responsibility to put proper arrangements in place to make sure that, where relevant, each vehicle and driver complies with all the items listed below.

We recommend that each item in the list has a related procedure for checking the standard of compliance and a system for immediately acting on any non-compliance.

It is important to have a system for immediate action so that the situation can be corrected, procedures can be introduced for training, and control measures can be introduced to prevent non-compliance happening again. You must make sure that vehicles are operated as safely as possible. There is little point in having a good monitoring system in place if faults and bad behaviour (minor or serious) are seen and acknowledged but just allowed to continue.

All monitoring systems should make sure that you or the responsible manager are aware of all critical dates for mandatory and safety checks on vehicles and components.

Items to be Monitored	Action or information available
<b>Tachographs</b>	When installed and when last calibrated, check for malfunction or repairs needed.
<b>Speed limiters</b>	When fitted or repaired, check for malfunction
<b>Record keeping</b>	Issue, return, check/analyse, store/ file tachograph charts or manual record books and/or duty rosters and timetables. Download, store and analyse digital data from driver smart cards and digital tachographs. Ensure that adequate numbers of company cards are available to manage and download data on digital tachographs.
<b>Drivers</b>	Check driving licence, Driver Certificate of Professional Competence, driver smart cards, training, scheduling of duties and rotas, hours of work, record keeping and control measures around non-compliance.
<b>COIF, Testing</b>	Check dates and details of MOTs, accuracy of vehicle approval information and storage of current certificates.
<b>Insurance</b>	Check extent and relevance of cover, and check dates of expiry for each vehicle.
<b>Vehicle Excise Duty</b>	Check correct duty paid and Vehicle Excise Licence clearly displayed on each vehicle. Check Reduced Pollution Certificates.
<b>Carrying passengers</b>	Check that you comply with vehicle weight limits. Ensure vehicle specification safely meets passenger safety needs (e.g. Disability Discrimination Act or other requirements).

<b>Operator licensing (authorisation and discs)</b>	<p>Update authorisation and specification of current vehicles. Monitor PSV licence discs on vehicles in service or being used to carry passengers. Check that all sub-contracted operators hold an operator's licence.</p>
<b>Vehicle condition and maintenance records</b>	<p>Complete records of safety maintenance inspections and repairs should be retained to demonstrate that the vehicles have been kept in a roadworthy condition. This is equally important when the maintenance is contracted out.</p>





# Annex 10:

## Running local bus services

A local service is one where passengers are carried at separate fares over short distances. The route can be of any overall length, as long as throughout its length passengers can get off within 15 miles (24.15 km) (measured in a straight line) of the place at which they were picked up.

### Separate fares

A separate fare is where each passenger makes a separate payment to the driver, conductor or an agent to use the service. The passengers may pay as they get on the bus, or they may buy tickets in advance, have season tickets or use concessionary passes. Payment can also be by some indirect means, e.g. a concert ticket that includes travel.

### Registrations

A registration is a notice of the local bus service you want to operate. To register a service outside London you must give the traffic commissioner a full description of the service you will be running. The following groups can register local bus services:

- ▶ anyone who holds a valid PSV operator's licence (provided there are no restrictions placed upon it);
- ▶ holders of community bus permits can register a community bus service;
- ▶ local education authorities can register a school bus service provided by their own vehicles;
- ▶ licensed taxi or private hire operators who hold a special restricted PSV operator's licence.

Further advice on eligibility and how to register bus services can be found in the guidebook PSV 353A for England and Wales and PSV 353A (Scotland) for Scotland entitled *Local Bus Service Registration*. Contact VOSA for further advice.

### Standards for local bus services

It should be the overriding aim of operators to run their registered services to their published times. The traffic commissioners are the regulators of local bus services in their areas and have the power to take action against operators who fail to run their services in accordance with the registered particulars.

These powers can include the imposition of financial penalties, removing existing registrations or preventing operators from registering new services. As the impact of this type of action could significantly affect their business, operators are advised to ensure that service reliability is given equal importance to other aspects of their operation. Operators should audit their own performance against schedules and service reliability issues should be reported on at board meetings.

Traffic commissioners have set a target whereby 95% of services should depart from stated timing points within the bracket of up to one minute early and up to five minutes late. Traffic commissioners expect 95% of services to arrive at the final destination point no more than five minutes late.

While accepting that there will be short-term difficulties that may cause delays, traffic commissioners believe that operators must construct their timetables to take account of known peaks of congestion and other factors.

An operator will always have the opportunity to persuade a traffic commissioner that there was a 'reasonable excuse' for a bus failing to run to its registered timetable but the traffic commissioner will be particularly interested in patterns of timekeeping and whether the operator has taken all reasonable steps to ensure that buses run to their published times.



# Annex 11:

## Community Licences Authorisations

### Extra authorisation needed for international journeys within the EU

PSV operators authorised for international operations must have a Community licence to operate in any other EU Member State (in addition to a restricted or standard international operator's licence).

Traffic commissioners issue Community licences automatically and free of charge to all PSV operators who are granted a standard international operator's licence. Operators need to notify the traffic commissioner of the number of copies they require.

Holders of a restricted licence authorising the use of vehicles adapted to carry nine to sixteen passengers should notify the traffic commissioner should they intend to operate abroad so that the Community licence can be issued.

Community licences are not required for vehicles adapted to carry eight or fewer passengers.

The licences are operator specific and consist of:-

- ▶ The original document, which must be kept in the operator's main office so that it can be inspected by enforcement authorities.
- ▶ Certified copies of the Community licence. These are not vehicle specific, but operators must make sure that each vehicle keeps one of these copies at all times on international journeys. It is an offence not to do so. Enforcement agencies throughout the EU expect drivers to produce the document at any time during an international journey.

### Validity

Community licences are issued for five year periods. Their expiry date is the same as the next five-year continuation date of the operator's licence.

Please note that if a traffic commissioner is considering revoking (cancelling) an international licence, they will also consider withdrawing the Community licence.

### Lost, damaged, stolen or terminated documents

If your Community licence documents are lost, damaged or stolen, you should contact VOSA's Central Licensing Office.

If your licence is surrendered or terminated in any way, you must return the Community licence documents to VOSA's Central Licensing Office (see Annex 14 for contact details).

# Annex 12:

## VOSA Examiners (authorisation and powers)

1. Warrants are issued by the Secretary of State for Transport to:
  - ▶ Traffic Examiners (TEs) who tend to concentrate on driver documentation such as tachograph charts, driver's and operator's licences or other vehicle documentation such as plating and testing or insurance certificates; and
  - ▶ Vehicle Examiners (VEs) who primarily concentrate on vehicle condition, inspection systems and maintenance records.
2. The warrant authorises an Examiner to:
  - ▶ inspect any goods or passenger carrying vehicle and, for that purpose, detain the vehicle for as long as it takes to carry out the inspection. An Examiner may issue a prohibition notice to a defective vehicle which will be in accordance with VOSA's published Categorisation of Defects;
  - ▶ prohibit a vehicle if the driver has contravened drivers' hours or record keeping regulations, incorrect driving licence for the vehicle being driven;
  - ▶ ask the driver to divert up to five miles and to direct the vehicle to a suitable place of inspection or weighing;
  - ▶ in certain circumstances (i.e. when a vehicle is being used by a known unlicensed operator), confiscate and impound the vehicle and its load;
  - ▶ at any time that is reasonable given the circumstances, enter any premises on which the Examiner has reason to believe that a goods or public service vehicle is kept and inspect that vehicle;
  - ▶ investigate an operator's vehicle inspection and maintenance system, including the engineering facilities and vehicle maintenance records;
  - ▶ inspect tachograph charts, drivers' records such as driver's licences and drivers' hours related documents (e.g. payment records), and remove those items where an offence is suspected;
  - ▶ instigate, on behalf of VOSA and the Secretary of State for Transport, prosecution proceedings in a magistrates' court; and
  - ▶ issue drivers with the offer of a fixed penalty for certain offences.



## Annex 13:

# Legislation and other useful information

These Acts (and their corresponding regulations) should be read in conjunction with one another. The 1981 Act is the primary legislation for PSV operator licensing, but it has been amended by several sections of subsequent Acts:

- ▶ Public Passenger Vehicles Act 1981
- ▶ Transport Act 1985
- ▶ Transport Act 2000
- ▶ Transport (Scotland) Act 2001
- ▶ Disability Discrimination Act 1995
- ▶ Deregulation and Contracting Out Act 1994
- ▶ Local Transport Act 2008.

The relevant legislation may be found at [www.legislation.gov.uk](http://www.legislation.gov.uk)

### Guides and leaflets

You can obtain the following from VOSA:

- ▶ ***The Safe Operator's Guide***  
This summarises best practice on safety procedures and monitoring procedures to help with compliance with licensing regulations and various aspects of employees' duties such as driving and loading.
- ▶ ***Guide to Maintaining Roadworthiness***  
Explains the responsibilities and systems involved in maintaining vehicles in a safe and roadworthy condition.
- ▶ ***Rules on Drivers' Hours and Tachographs: Passenger Carrying Vehicles in GB and Europe***  
Explains the drivers' hours rules and the keeping of records for both drivers and operators.
- ▶ ***Guidance for operators of stretched limousines***  
Provides general guidance for owners and operators of stretched limousines and 'novelty' vehicles.

- ▶ ***A Guide to Local Bus Service Registration*** – PSV 353A  
Provides general guidance on operating local bus services
- ▶ ***A Guide to Flexible Local Bus Service Registrations***.  
Provides general guidance on operating flexible bus services
- ▶ ***PSV 385 Passenger Transport Provided Under Section 19 or Section 22 Permits***  
Provides general guidance for not-for-profit and voluntary organisations that provide passenger transport
- ▶ ***Goods Vehicle Operator Licensing: Guide for Operators***  
Provides general guidance to both new and experienced operators. The guide explains the Goods Vehicle operator licensing system, including how to apply for a licence and how to minimise the risk of losing your licence, once it has been granted.

### PSV operator licensing forms

- ▶ **PSV 356:** Application for a special restricted PSV operator's licence (fee payable with application).
- ▶ **PSV 421:** Application form for standard or restricted operator's licence (fee payable with application).
- ▶ **PSV 430:** Form to notify details of vehicles to be used under the licence (should it be granted) and any subsequent changes to vehicles used under the licence
- ▶ **PSV 431:** Application for chargeable variations to a PSV operator's licence.
- ▶ **PSV 431A:** Application for non chargeable variations to a PSV operator's licence.





- ▶ **PSV451:** Application for duplicate licence documentation (licence, disc, community authorisation) in the event the original is lost.
- ▶ **TM1:** Application to add a transport manager to a licence
- ▶ **COA:** Notification of change of address and/or address of establishment
- ▶ **SUR1:** Application to surrender a licence





## Annex 14: Useful contacts

All correspondence relating to operator licensing and permits should be addressed to:

- ✉ Central Licensing Office  
Hillcrest House  
386 Harehills Lane  
Leeds, LS9 6NF
- 📞 **0300 123 9000**
- 💻 **[self.service@vosa.gov.uk](mailto:self.service@vosa.gov.uk)**

The table below shows the coverage of the different traffic areas and the addresses for the local Office of the Traffic Commissioner. Only correspondence relating to public inquiries should be sent to the local Office of the Traffic Commissioner.

### Traffic Areas

Traffic Area	Responsible for
<p><b>North Eastern</b> Hillcrest House 386 Harehills Lane Leeds LS9 6NF</p>	<p><b>The metropolitan boroughs within:</b></p> <ul style="list-style-type: none"> <li>▶ South Yorkshire</li> <li>▶ Tyne and Wear</li> <li>▶ West Yorkshire</li> </ul> <p><b>The counties of:</b></p> <ul style="list-style-type: none"> <li>▶ Durham</li> <li>▶ Northumberland</li> <li>▶ North Yorkshire</li> <li>▶ Nottinghamshire</li> </ul> <p><b>The districts of:</b></p> <ul style="list-style-type: none"> <li>▶ Darlington</li> <li>▶ East Riding of Yorkshire</li> <li>▶ Hartlepool</li> <li>▶ Kingston-upon-Hull</li> <li>▶ Middlesbrough</li> <li>▶ North East Lincolnshire</li> <li>▶ North Lincolnshire</li> <li>▶ Nottingham</li> <li>▶ Redcar and Cleveland</li> <li>▶ Stockton-on-Tees</li> <li>▶ York</li> </ul>

Traffic Area	Responsible for
<p><b>North Western</b>  Suites 4–6  Stone Cross Place  Stone Cross Lane North  Golborne  Warrington  WA3 2SH</p>	<p><b>The metropolitan boroughs within:</b></p> <ul style="list-style-type: none"> <li>▶ Greater Manchester</li> <li>▶ Merseyside</li> </ul> <p><b>The counties of:</b></p> <ul style="list-style-type: none"> <li>▶ Cheshire</li> <li>▶ Cumbria</li> <li>▶ Derbyshire</li> <li>▶ Lancashire</li> </ul> <p><b>The districts of:</b></p> <ul style="list-style-type: none"> <li>▶ Blackburn with Darwen</li> <li>▶ Blackpool</li> <li>▶ Derby City</li> <li>▶ Halton</li> <li>▶ Warrington</li> </ul>
<p><b>Eastern</b>  City House  126–130 Hills Road  Cambridge  CB2 1NP</p>	<p><b>The counties of:</b></p> <ul style="list-style-type: none"> <li>▶ Bedfordshire</li> <li>▶ Buckinghamshire</li> <li>▶ Cambridgeshire</li> <li>▶ Essex</li> <li>▶ Hertfordshire</li> <li>▶ Leicestershire</li> <li>▶ Lincolnshire (except the Districts of North Lincolnshire and North East Lincolnshire)</li> <li>▶ Norfolk</li> <li>▶ Northamptonshire</li> <li>▶ Suffolk</li> </ul> <p><b>The districts of:</b></p> <ul style="list-style-type: none"> <li>▶ Leicester</li> <li>▶ Luton</li> <li>▶ Milton Keynes</li> <li>▶ Peterborough</li> <li>▶ Rutland</li> <li>▶ Southend-on-Sea</li> <li>▶ Thurrock</li> </ul>
<p><b>Welsh (Cymru)</b>  38 George Road  Edgbaston  Birmingham B15 1PL</p>	<ul style="list-style-type: none"> <li>▶ Wales (Cymru)</li> </ul>

Traffic Area	Responsible for
<p><b>West Midland</b> 38 George Road Edgbaston Birmingham B15 1PL</p>	<p><b>The metropolitan boroughs within the West Midlands.</b></p> <p><b>The counties of:</b></p> <ul style="list-style-type: none"> <li>▶ Shropshire</li> <li>▶ Staffordshire</li> <li>▶ Warwickshire</li> <li>▶ Worcestershire</li> </ul> <p><b>The districts of:</b></p> <ul style="list-style-type: none"> <li>▶ Herefordshire</li> <li>▶ Stoke-on-Trent</li> <li>▶ Telford and Wrekin</li> </ul>
<p><b>Western</b> Jubilee House Croydon Street Bristol BS5 0DA</p>	<p><b>The counties of:</b></p> <ul style="list-style-type: none"> <li>▶ Cornwall</li> <li>▶ Devon</li> <li>▶ Dorset</li> <li>▶ Gloucestershire</li> <li>▶ Hampshire</li> <li>▶ Oxfordshire</li> <li>▶ Somerset</li> <li>▶ Wiltshire</li> </ul> <p><b>The districts of:</b></p> <ul style="list-style-type: none"> <li>▶ Bath and North East Somerset</li> <li>▶ Bournemouth</li> <li>▶ Bracknell Forest</li> <li>▶ Bristol</li> <li>▶ Isle of Wight</li> <li>▶ North Somerset</li> <li>▶ Plymouth</li> <li>▶ Poole</li> <li>▶ Portsmouth</li> <li>▶ Reading</li> <li>▶ Slough</li> <li>▶ Southampton</li> <li>▶ South Gloucestershire</li> <li>▶ Swindon</li> <li>▶ Torbay</li> <li>▶ West Berkshire</li> <li>▶ Windsor and Maidenhead</li> <li>▶ Wokingham</li> </ul>

Traffic Area	Responsible for
<b>South Eastern and Metropolitan</b> Ivy House 3 Ivy Terrace Eastbourne BN21 4QT	<ul style="list-style-type: none"> <li>▶ Greater London</li> </ul> <b>The counties of:</b> <ul style="list-style-type: none"> <li>▶ Kent</li> <li>▶ Surrey</li> <li>▶ East Sussex</li> <li>▶ West Sussex</li> </ul> <b>The districts of:</b> <ul style="list-style-type: none"> <li>▶ Brighton and Hove</li> <li>▶ the Medway Towns.</li> </ul>
<b>Scottish</b> Level 6 The Stamp Office Waterloo Place Edinburgh EH1 3EG Scotland	<ul style="list-style-type: none"> <li>▶ Scotland</li> </ul>

## Other useful contact details

<b>VOSA</b>	<ul style="list-style-type: none"> <li>✉ Berkeley House Croydon Street Bristol BS5 0DA</li> <li>📞 0300 123 9000</li> <li>🖱 <a href="http://www.businesslink.gov.uk/transport">www.businesslink.gov.uk/transport</a></li> <li>💻 <a href="mailto:Self.Service@vosa.gov.uk">Self.Service@vosa.gov.uk</a></li> </ul> <p>For details of VOSA Enforcement Offices, see <a href="http://www.dft.gov.uk/vosa">www.dft.gov.uk/vosa</a></p>
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Other useful contact details (continued)	
<b>Administrative Appeals Chamber of the Upper Tribunal Traffic Commissioner Appeals</b>	<p>✉ 7th Floor Victory House 30–34 Kingsway London WC2B 6EX</p> <p>☎ 0203 077 5860</p> <p>📠 020 3077 5836</p> <p>🌐 <a href="http://www.tribunals.gov.uk">www.tribunals.gov.uk</a></p> <p>✉ <a href="mailto:transport@tribunals.gsi.gov.uk">transport@tribunals.gsi.gov.uk</a></p>
<b>Confederation of Passenger Transport</b>	<p>✉ Drury House 34–43 Russell Street London WC2B 5HA</p> <p>☎ 020 7240 3131</p> <p>📠 020 7240 6565</p>
<b>Bus Service Operator's Grant</b>	<p>✉ F14 Ashdown House (BSOG) Sedlescombe Road North St Leonards-on-Sea East Sussex TN37 7GA</p> <p>☎ 020 7944 8588</p> <p>✉ <a href="mailto:BSOG@dft.gsi.gov.uk">BSOG@dft.gsi.gov.uk</a></p>
<b>Freight Transport Association</b>	<p>✉ St John's Road Tunbridge Wells Kent TN4 9UZ</p> <p>☎ 01892 526171</p> <p>📠 01892 534989</p>

## Visit our websites:

for commercial customers

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

for private motorists

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

for corporate information

**[www.dft.gov.uk/vosa](http://www.dft.gov.uk/vosa)**

## Contact us:

E-mail

**[enquiries@vosa.gov.uk](mailto:enquiries@vosa.gov.uk)**

National Number

**0300 123 9000\***

Monday to Friday - 7.30am until 6.00pm  
(normal working hours)

