

Guidance for Standard Section 19 Permit Applications

This guidance will be useful for: organisations applying for a Standard Section 19 Permit from the Community Transport Association.

This guidance will help you to fill out the application form for a Standard Section 19 permit. You can download the application form from our website at <http://www.ctauk.org/permits>. If you have any questions that are not covered in this document, you can contact the CTA advice service via advice@ctauk.org.

Section 1: Contact Information

Your details

Here we want your contact details. Your application will be easier to process if these match the name, address and contact information that you already have registered with CTA. Please note that we can only issue permits to CTA members. Permits are only valid with a current CTA membership.

The contact person will be the main person we correspond with concerning the permits issued.

About your organisation:

Do you have 3 non-related Trustees/Directors/Committee members?

For not-for-profit members, CTA requires that the governance structure of not-for-profit organisations follow the VCFSE sector good practice in ensuring that there is a minimum of 3 non-related directors/trustees/committee members. We do recognise there are some situations where this isn't possible, make sure to tell us on the application form.

What is your body concerned with?

This question is asked to ensure you satisfy at least one of the criteria established in the 1985 Transport Act for eligibility to apply for and use a Section 19 Permit. Those groups involved in providing transport to other community organisations should think carefully about all the purposes for which the vehicle may be used in the future.

Reason for this Application

This question enables us to understand the reason for your application and understand the reasons for increases or decreases in permits held by the sector.

Do you already hold any small/large/standard bus permits?

As a designated body, CTA can issue permits to its members. However, permits are also available from other designated bodies, some Local authorities and the Office of the Traffic Commissioners. You can apply for permits from multiple bodies, however the exemption that you apply under must be the same.

Has the body ever had an application for a permit refused or a permit revoked?

If you have had a permit application refused, or a permit revoked, we need to understand the circumstances before issuing you a permit. Please note that a false statement to obtain a permit is a criminal offence.

Section 2: Exemptions and Passenger Class

Understanding your exemption

This section relates to the EU Regulation Exemptions. To operate a vehicle under a Section 19 permit, you must be able to satisfy one of the 3 exemptions set out in the EU Regulation 1071/2009. The exemption that you are applying under will determine which questions you need to answer. The full guidance regarding them can also be found under [section 3 of the Department for Transport's "Section 19 and 22 permits and obligations" document](#).

Option A - Is the main occupation of your organisation something other than the provision of passenger transport?

This relates to the 'main occupation' exemption. You should only answer yes to this question if your main occupation (i.e. what you spent the majority of your time and resources doing) is something other than the provision of passenger transport. This exemption can usually be used by educational establishments and community centres. If you answered yes to this question you should select Main Occupation as your exemption in the next question.

Which of the following exemptions are you applying for this permit(s) under?

If the provision of passenger transport is your main occupation, then you need to consider which of the other two exemptions you are applying under.

Option B – Exclusively Non-Commercial Purposes Exemption

Guidance relating to this exemption can be found under [section 3.2 of the Guidance on EU Regulation 1071/2009 for permit users in GB](#). If you are going to choose this option, you need to be satisfied that all the services you operate are for exclusively non-commercial purposes. You must retain evidence to show you have considered the guidance. Evidence could be recorded in your accounts, board minutes or annual report. If you are unsure whether you can rely on this exemption, then you can check out the resources [on our website](#) or contact advice@ctauk.org.

Option C – The Short Distance Exemption

If you do not satisfy the exclusively non-commercial purposes exemption, then the final option is the short-distance exemption. If you are thinking of applying under this exemption, we encourage you to contact advice@ctauk.org first to discuss your application. If you need to apply for extenuating circumstances, there is further information regarding the evidence required at the end of this document.

What classes of passengers will you carry?

A Section 19 permit requires you to indicate the classes of passengers which you intend to carry as it cannot be used to carry members of the general public. Your passengers should be known to you and that they will be travelling on your service that day.

You can choose more than one class; however, you should only select the categories which most closely describe the groups of people your organisation is established to serve.

Your governing document should guide you on this. CTA recommend that community transport providers establish a registered user or membership scheme to enable them to demonstrate that they are only carrying eligible passengers.

Once a permit is issued, then it can only be used to carry the selected classes of passengers and cannot be changed.

Passenger Classes

Class A Members of the body holding the permit.

Class B Persons whom the body exists to benefit and persons assisting them.

Class C Disabled persons or persons who are seriously ill, and persons assisting them.

Class D Pupils or students of any school, college, university or other educational establishment and staff or helpers accompanying them

Class E Persons living within a geographically defined local community, or group of such communities, whose public transport needs are not met other than by virtue of services provided by the body holding the permit

Class F Any other class of persons specified in the permit

CTA as standard will advise against applying for permits with just Class C as we typically find operators wish to transport passengers outside of this class.

We also as standard do not issue permits under Passenger Class E or F so they are not on our application form. If you believe your passengers do not fall within Class A-D please contact us for advice at advice@ctauk.org

Will every driver of a vehicle used under this permit be given basic vehicle and safety training and be formally approved by you before using the vehicle to carry passengers?

CTA expects all permit holders to provide training, The Minibus Driver Awareness Scheme (MiDAS) is commonly used to meet the requirement for drivers to have basic vehicle and safety training. You will be asked to explain the type of training that is provided to drivers, we expect drivers to be provided with some element of practical training to ensure they understand how to operate the vehicle.

Section 3: Vehicle details

What type of vehicle will you be using your permit(s) on?

CTA wants to understand the type of vehicles you are using your permits for.

Important: If you are using a permit on a smaller vehicle, [separate fares](#) must be charged.

In recent years there have been some questions about using Section 19 permits on smaller vehicles (vehicles with less than 9 passenger seats). CTA understand the value of small vehicle permits to the sector and remains committed to ensuring that they remain available for use by CT operators. We continue to seek clarification from the Department for Transport and the Office of the Traffic Commissioner to resolve this query. In the meantime, we will continue to issue permits for smaller vehicles as a designated 'permit issuing body' but may be required to shorten the time limits on these permits or suspend small vehicle permits if the legal position is clarified.

How often will safety inspections be carried out on the vehicle(s) being operated?

As the permit-holder, it will be your responsibility to ensure that any vehicle used under your permit is in a safe and roadworthy condition. You can find the guidance relating to maintenance requirements and safety inspections under [Annex 2 of Section 19 and 22 permits and obligations Department for Transport Guidance](#).

Safety inspections are not the same as the daily walk-around checks carried out by drivers. They are also in addition to regular servicing and MOTs. We would usually expect the frequency of safety inspections to be between every 6 and 10 weeks as set out by the DVSA in their '[Guide to Maintaining Roadworthiness](#).'

You must keep all maintenance records for at least 15 months.

Section 4: Questionnaire

Is the body one which undertakes non-profit activities only?

A vehicle being used under a section 19 permit cannot be used with a view to profit nor incidentally to an activity which is itself carried on for profit.

Does the body certify that it does not hold a Public Service Vehicle Operator's Licence?

Under the 1895 Transport Act, the same legal entity cannot hold both an 'O' licence and a section 19 or 22 permit. If you do hold both an O Licence and a permit, please contact advice@ctauk.org.

Section 5: Declarations

Declaration

At the end of the form, you must make several declarations about your planned operations and management routines. The DVSA or Traffic Commissioner may take these into account in any subsequent inspection or investigation. You will be sent an electronic copy of this application once completed, you should retain a copy of this application. This should then be kept securely with the permit itself once you have received it.

If you are in any doubt over any aspect of the application form or questionnaire, permits or anything else, please e-mail the CTA Advice Service at advice@ctauk.org in the first instance or ring **0345 130 6195**. **Please quote your CTA membership number.**

Further Guidance on the Short Distance Exemption

This additional section provides further guidance on the operation of the 'short distance' exemption in Great Britain (England, Wales and Scotland). The short distance exemption is not in place in Northern Ireland. If you wish to apply for a permit for operation in Northern Ireland, you need to complete a Section 10B application form (<https://ctauk.org/permits>). You only need to apply for a permit under the short distance exemption if you are not eligible to apply under the 'main occupation exemption' or the exclusively non-commercial purposes exemption.'

- There are two short-distance categories that you can choose from for each permit you are applying for:
 - 10 miles in a radius – for any service within a radius of 10 miles, with the radius being measured from a specified central point.
 - 10 miles in a straight line – where a distance of 10 miles is measured in a straight line from the first point at which passengers are able to embark to the last point at which passengers are able to disembark (this measurement may be more suitable for section 22 services).
- If you operate in a less densely populated area, you can apply for the existence of extenuating circumstances to allow you to extend the automatic ten-miles distance or to request multiple operating centres. If applying for a permit on the basis of extenuating circumstances, you will need to provide supplementary evidence via e-mail to permits@ctauk.org. This evidence should be proportionate to the number of vehicles you operate and will be considered on a case-by-case basis.

Types of evidence you could provide when applying for extenuating circumstances

- Mapping of your operating area and its surroundings (you can use this website to help you calculate the 10 mile radius – <https://www.mapdevelopers.com/draw-circle-tool.php> – or this website to find the 10 mile straight line – https://www.mapdevelopers.com/distance_finder.php).
 - Search of the population density in your operating area (use this website to find the “Rural Urban Indicator” for operating area’s postcode – <https://onsdigital.github.io/postcode-lookup/>).
 - Details of the transport services in your area of operation (to prove lack of transport providers in the operating area, use a journey planner and illustrate a typical start point of one of your journeys);
 - Information on the specific group of passengers that the services support (this will be demonstrated through the classes of passengers indicated on your application);
 - Any other information which may be relevant to your area of operation.
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If you have any questions about the short distance exemption or the evidence which you need to provide when applying for extenuating circumstances, then please contact advice@ctauk.org.