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### Licensing and Regulatory Committee

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**Time and Date**

9.30 am on Tuesday, 5th August, 2025

**Place**

Diamond Room 2 - Council House

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**Public Business**

1. **Apologies**
2. **Declarations of Interest**
3. **Minutes** (Pages 1 - 8)  
To agree the minutes of the Committee meeting held on 18<sup>th</sup> February 2025 and the Sub-Committee hearing held on 20<sup>th</sup> May 2025.
4. **Licensing Act 2003 - Review of Statement of Licensing Policy 2026 - 2031**  
(Pages 9 - 42)  
Report of the Director for Law and Governance
5. **Review of the Current Statement of Licensing Policy (Taxi & Private Hire) to Include Changes on Emissions, Age of Vehicles and Best Practice Guidance** (Pages 43 - 104)  
Report of the Director of Law and Governance
6. **Outstanding Issues Report**  
There are no outstanding issues to report.
7. **Any other items of public business which the Chair decides to take as matters of urgency because of the special circumstances involved**

**Private Business**

Nil

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Julie Newman, Director of Law and Governance, Council House, Coventry

Monday, 28 July 2025

Note: The person to contact about the agenda and documents for this meeting is Tom Robinson [tom.robinson@coventry.gov.uk](mailto:tom.robinson@coventry.gov.uk)

Membership: Councillors F Abbott (Chair), J Birdi, B Christopher, S Gray, A Hopkins, J Innes, T Jandu, S Jobbar, M Lapsa, K Maton, C Miks, M Mutton, R Thay and CE Thomas (Deputy Chair)

**Public Access**

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**Tom Robinson**  
**tom.robinson@coventry.gov.uk**

**Coventry City Council**  
**Minutes of the Meeting of Licensing and Regulatory Committee held at 9.30 am**  
**on Tuesday, 18 February 2025**

Present:

Members:

Councillor K Maton (Chair for the meeting)  
Councillor J Birdi  
Councillor B Christopher  
Councillor S Gray  
Councillor G Hayre  
Councillor A Hopkins  
Councillor T Jandu  
Councillor R Lakha  
Councillor J Lepoidevin  
Councillor CE Thomas

Employees (by Service Area):

Law and Governance      A Wright, A Veness, D Cahalin, N Castledine, S Bennett

Apologies      Councillor F Abbott

## **Public Business**

### **16. Chair**

In the absence of the Chair, Councillor F Abbott, the meeting was chaired by the Deputy Chair, Councillor K Maton.

### **17. Declarations of Interest**

There were no declarations of interest.

### **18. Minutes**

The Minutes of the Committee meeting held on 19th November 2024, the Sub-Committee (1) and Sub-Committee (2) (Hackney Carriage & Private Hire Taxi Licensing) meetings held on 17th December 2024 and 28th January 2025, and the Sub-Committee hearing held on 29th January 2025 were agreed and signed as true records.

There were no matters arising.

### **19. Regulation, Communities and Environmental Enforcement Policy - Review**

The Committee considered a report from the Director of Law and Governance which sought approval to adopt the updated Regulation, Communities and Environmental Enforcement Policy.

The Regulators Code ('the Code') was laid before Parliament in accordance with section 23 of the Legislative and Regulatory Reform Act 2006 ('the Act'). Regulators whose functions are specified under the Act, must have regard to the Code when developing policies and operational procedures that guide their regulatory activity.

The proposed Policy is an overarching document written to set out the Regulation, Communities and Environmental teams' general approach to good enforcement. Several teams within the wider service area have specific team Enforcement Policies which sit underneath this one and should be referred to in addition to the overarching Policy. Where a team specific Enforcement Policy is not in place, the overarching Policy is sufficient to meet the requirements of the Code.

The current Enforcement Policy is published on the Council's web site. however, it needed to be reviewed, and this has now been undertaken.

The report indicated that there were no major changes to the Policy aside from minor expansion of service areas now covered by enforcement. The general principles of the Regulation, Communities and Environmental Team remained the same and the document was still centred around the key regulator principles, namely:

- a) Regulators should carry out their activities in a way that supports those they regulate to comply and grow.
- b) Regulators should provide simple and straightforward ways to engage with those they regulate and hear their views.
- c) Regulators should base their regulatory activity on risk.
- d) Regulators should share information about compliance and risk.
- e) Regulators should ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply.
- f) Regulators should ensure that their approach to regulatory activities is transparent.

Following public consultation, the revised draft of Regulation, Communities and Environmental Enforcement Policy was recommended for adoption and would be considered by the Cabinet Member for Policing and Equalities on 27 February, 2025.

**RESOLVED that, the Committee:**

**1) Notes the revised Regulation, Communities and Environmental Enforcement Policy.**

- **Requests that officers provide regular reports on activity undertaken regarding enforcement action taken in relation to the Policy. Environmental Enforcement Policy.**

**20. Outstanding Issues**

There were no outstanding issues.

**21. Any other items of public business which the Chair decides to take as matters of urgency because of the special circumstances involved**

There were no other items of public business.

(Meeting closed at 9.50 am)

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**Coventry City Council**  
**Minutes of the Meeting of Licensing and Regulatory Sub-Committee (Hearing)**  
**held at 10.00 am on Tuesday, 20 May 2025**

Present:

Members:                      Councillor F Abbott (Chair)  
                                     Councillor S Gray  
                                     Councillor K Maton

Employees (by Service  
Area):

Law and Governance              T Robinson, A Wright

Streetscene and                      R Masih, C Simms  
Regulatory Services

In Attendance (Interested      Applicant  
Parties):                              Applicant's Representative  
   Objectors

**Public Business**

**29.      Appointment of Chair**

**RESOLVED that Councillor F Abbott be appointed as Chair for the hearing.**

**30.      Apologies**

There were no apologies for absence.

**31.      Declarations of Interest**

There were no declarations of interest.

**32.      Application for a Premises Licence Application under the Licensing Act 2003**

The Sub-Committee considered an application for a Premises Licence in respect of Nagra Supermarket, 198-200 Fenside Avenue, Coventry CV3 5NJ. The application requested the Sale of Alcohol (Off Sales) from Monday to Sunday from 0600hrs to 2300hrs. During the consultation period, the hours were amended by agreement with Environmental Health to 0700hrs to 2300hrs.

Three representations had been received from Other Persons objecting to the grant of the application on the basis that to do so would undermine all four Licensing Objectives.

None of the Responsible Authorities had objected.

The Sub-Committee's statutory duty was to consider the application and any representations and to take such steps as contained in the Licensing Act 2003 as it considered appropriate for the promotion of the Licensing Objectives.

The Licensing Officer gave a brief summary of the application and confirmed that all licensing formalities had been complied with.

The Applicant's Representative was invited to present his case on behalf of the Applicant. The Representative confirmed that the premises is currently a closed site which the Applicant plans to refurbish and turn into a general store with the inclusion of alcohol. He stated that the Applicant had a wealth of experience over 25 years in running a number of premises across the Midlands. Both he and his wife are personal licence holders.

The Representative highlighted the fact that no Responsible Authorities had objected to the application, that a licensed premises already exists in close proximity with no known issues and that the steps that would be taken to ensure the promotion of the Licensing Objectives had been comprehensively set out in the Operating Schedule.

The Sub Committee asked whether the premises would open as a general store if the application was refused. The Applicant said this was unlikely as the business would no longer be viable because it provides less opportunity for customers to obtain all of their items from one place.

The Applicant confirmed that he was confident he could run the premises in the way set out in the Operating Schedule and had experience of this. He further advised that he had tried to proactively engage with the Objectors in the form of mediation, but the Objectors were not willing to participate. This was confirmed by the Licensing Officer.

The Objectors were then given the opportunity to present their case. They advised that they are the Premises Licence Holders for the premises next door and that granting of the Licence would directly affect their business. They stated that there was an existing issue in the area with anti-social behaviour and children attempting to purchase alcohol, which they believed would be exacerbated by the granting of another Licence. They stated that they have 15 years remaining on their current lease and their turnover is already low. They considered that they would lose half of their business and be unable to pay their rent.

The Sub Committee asked why they did not agree to mediation with the Applicant. The Objectors advised that when the Applicant had initially approached them, he stated that he had no plans to open an off licence. They therefore believed they had been lied to and that a further discussion would be a waste of time.

In answer to further questions from the Sub Committee, the Objectors confirmed that they have no evidence of existing issues other than one recent incident where a fight took place in their shop and a window was broken. It was unclear if this related to alcohol or whether the Police were involved. The Licensing Officer confirmed that they were unaware of any such reports and reiterated that the Police, as a Responsible Authority, had not objected to the application.



The Sub Committee advised the Objectors that the Council does not have a Cumulative Impact Policy and could therefore not take into account the effect that granting the Premises Licence would have on their family business. The Sub Committee stated that their only consideration would be the promotion of the Licensing Objectives. The Sub Committee took account of the written submissions of the third Objector.

In reaching its decision, the Sub Committee considered the application on its own merits, having regard to both national guidance and the Council's own policy.

In accordance with the High Court's decision in *R (on application of Daniel Thwaites plc) v Wirral Magistrates' Court and Others (2008) EWHC 838 (Admin)* the Sub Committee attached the appropriate weight to the fact that none of the Responsible Authorities, who are to be considered experts in their individual fields, had objected to the application.

In particular, the Sub Committee considered paragraph 9.15 of the Licensing Act 2003 Statutory Guidance which states that it is reasonable to expect the local authority exercising environmental health functions to make representations where there are concerns about noise nuisance, and the Police to make representations where concerns exist surrounding crime and disorder.

The Sub Committee fully considered the submissions provided by the Objectors, and noted that they had significant concerns over the future of their business should this Licence be granted. The Sub Committee were sympathetic to those concerns, but as was explained during the Hearing, Coventry City Council does not have a Cumulative Impact Policy and therefore there is no mechanism whereby the Sub Committee could or would legitimately refuse a Premises Licence for this reason.

Having listened to all the evidence, and considered the Applicant's Operating Schedule which was thorough, the Sub Committee determined that the Applicant had demonstrated a willingness to take steps to prevent, so far as was possible, problems arising at or from the premises that may undermine the Licensing Objectives.

The Sub Committee was satisfied that the Applicant takes his responsibilities in respect of the Licensing Objectives seriously, and that the concerns of local residents had been taken into account, and this would continue to be the case.

**RESOLVED that the application for a Premises Licence be granted in respect of Nagra Supermarket, 198-200 Fenside Avenue, Coventry CV3 5NJ**

33. **Any Other Business**

There were no other items of business.

(Meeting closed at 10.50 am)

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## **Public report** Cabinet Member Report

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Cabinet Member for Policing & Equalities  
Licensing & Regulatory Committee

28 July 2025  
5 August 2025

**Name of Cabinet Member:**

Cabinet Member for Policing and Equalities - Councillor AS Khan

**Director Approving Submission of the report:**

Director of Law and Governance

**Ward(s) affected:**

All

**Title:**

**Licensing Act 2003 – Review of Statement of Licensing Policy 2026 - 2031**

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**Is this a key decision?**

No

Although the matters within the report affect all wards in the city, it is not anticipated that the impact will be significant.

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**Executive Summary:**

The purpose of this report is to seek Members' views and approval to consult on the draft revised Statement of Licensing Policy 2026 – 2031 under the Licensing Act 2003.

**Recommendations:**

The Cabinet Member for Policing and Equalities is recommended to:

1. Consider the draft revised Statement of Licensing Policy and authorise the Director of Law & Governance to carry out the consultation as detailed in the report.

The Licensing & Regulatory Committee is recommended to:

1. Consider the draft Statement of Licensing Policy and forward any comments it wishes to make as part of the consultation process.

**List of Appendices included:**

Appendix 1 - Revised Statement of Licensing Policy (shaded paragraphs illustrate the amendments to the document)

**Other useful background papers:**

Licensing Act 2003

Section 182 Guidance to Licensing Authorities

**Has it been or will it be considered by Scrutiny?**

No

**Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?**

Yes - Licensing & Regulatory Committee – 5 August 2025

**Will this report go to Council?**

No – The revised Review of Statement of Licensing Policy 2026 – 2031 will be submitted to Council following the consultation process.

## **Report title: Licensing Act 2003 – Review of Statement of Licensing Policy**

### **1. Context (or background)**

- 1.1 Under the terms of the Licensing Act 2003 the Council's Statement of Licensing Policy has to be renewed every five years. The current Statement of Licensing Policy came into effect on 16<sup>th</sup> March 2021 and a review must therefore be completed. There is a requirement in the Act for the Council to publish and advertise the revised Statement of Licensing Policy at least 4 weeks before, by 16<sup>th</sup> February 2026.
- 1.2 The Statement of Licensing Policy produced by the Licensing Authority under the Licensing Act 2003 will be relevant for all licensing decisions taken by the Council as the Licensing Authority over five years commencing on 16<sup>th</sup> March 2026.
- 1.3 The general principles of the Statement of Licensing Policy remain the same and the document is still centred around the Licensing Act's four licensing objectives, namely:
  - Preventing of Crime & Disorder
  - Promotion of Public Safety
  - Prevention of Public Nuisance
  - Protection of Children from Harm
- 1.4 Before amending the Policy for a further five-year period, licensing authorities are required to carry out a wide consultation process. In addition to those it must consult by law, the Council has authority to include in the process any individuals or organisations it deems appropriate.
- 1.5 The Responsible Authorities (statutory consultees – West Midlands Police, West Midlands Fire and Rescue Service, Planning, Environmental Health Safeguarding Children Board, HM Revenue & Customs, Community Safety and Public Health will be consulted on the draft revised Policy.
- 1.6 The public consultation exercise will begin on the 12 August 2025, for an 8-week period and will finish on the 7 October 2025 and will include the following elements:
  - Mail shots to representatives of the licensed trade, clubs and key partners;
  - Formally writing to the Chief Officers of the responsible authorities;
  - Mail shots to businesses and organisations; and
  - Wider public consultation through the City Council Website.
- 1.7 The revised Policy complies with updated guidance and regulations. It has been developed with all 6 Warwickshire Licensing Authorities (Warwickshire County Council, North Warwickshire Borough Council, Nuneaton & Bedworth Borough Council, Rugby Borough Council, Stratford on Avon District Council and Warwick District Council), although each authority has adapted the Policy to suit the needs of their area and profile.

A copy of the draft revised Policy is attached as an Appendix to the report.

## **Key Changes to the Revised Licensing Policy**

1.8 The proposed changes to the Policy can be shown highlighted in the draft revised policy (Appendix 1) and are listed below:

- Paragraph 8.11 amended to include website links for drink spiking, violence against women & girls, serious youth violence & counter terrorism.
- Paragraphs 8.38 & 8.39 added to include considerations relating to child exploitation
- Paragraph 11.1 amended to include best practice schemes
- Section 16 added – Environmental best practice in Licensed Premises

## **2. Options considered and recommended proposal.**

2.1 The Cabinet Member for Policing and Equalities is requested to consider the draft-revised Statement of Licensing Policy and authorise the Director of Law & Governance to carry out the consultation as detailed in the report.

2.2 The Licensing and Regulatory Committee is requested to consider the draft revised Statement of Licensing Policy and forward any comments as part of the consultation process.

## **3. Results of consultation undertaken**

3.1 The results of the consultation process will be submitted for consideration to Cabinet Member for Policing and Equalities before a finalised Policy document is presented to Full Council for approval.

## **4. Timetable for implementing this decision.**

4.1 The revised Statement of Licensing Policy must be published by 16<sup>th</sup> March 2026 to allow the Council to continue to carry out any function in respect of individual applications made under the authority of the Licensing Act 2003.

## **5. Comments from Director of Finance & Resources (Section 151 Officer) and Director of Law & Governance.**

### **5.1 Financial implications**

The financial implications associated with the recommendation are budgeted for and are limited to the employee costs associated with undertaking the consultation exercise and any costs involved in publishing the Statement of Licensing Policy.

### **5.2 Legal implications**

The Council will not be able to undertake its role as a Licensing Authority after the 16 March 2026 unless it has approved and published its revised Statement of Licensing Policy. The Policy must be reviewed every five years or more often if appropriate.

The licensing function is carried out by the Council's Licensing and Regulatory Committee and officers exercising delegated powers. The one exception is the

approval of the Policy, which must be approved by Full Council.

The Council is required to have regard to any current Government Guidance when carrying out any licensing functions under the Licensing Act 2003 including its Statement of Licensing Policy

## **6. Other implications**

### **6.1 How will this contribute to the achievement of the One Coventry Plan?**

The prevention of crime and disorder is at the centre of the licensing regime and there are strong structural links between the administration of the licensing process and the role of the Community Safety Partnership and West Midlands Police. The Licensing Policy acknowledges the Community Safety Plan and gives information about proposed enforcement protocols with the Police and other enforcement authorities. As a Responsible Authority, the Police have been a key consultee.

One of the licensing objectives is 'the Protection of Children from Harm'. Applicants are required to show how they will address this objective in their operating schedule when making applications. The Coventry Safeguarding Children Board is a Responsible Authority consulted when applications are made.

Although there is not a specific licensing objective related directly to health within the current legislation, Public Health is a Responsible Authority. Alcohol has been identified as a priority within Coventry's Health and Wellbeing Strategy. Public health related licence conditions will be used where practicable to reduce the impact of alcohol on public safety and other licensing objectives

This aligns with the One Coventry Plan to work together to improve our city and the lives of those who live, work and study here.

### **6.2 How is risk being managed?**

If the Licensing Policy is not renewed in the above timeframe, the City Council will not legally be able to perform its function under the Act. The consultation process and approval dates have been planned to ensure that the Policy is in place at the required time.

The Statement of Licensing Policy will inform decisions taken by the licensing authority that will have an impact on the interests of private individuals and businesses. The Policy reflects the need to respect the relevant rights given by the Human Rights Act.

Decisions of the Licensing Authority are open to challenge through the Magistrates Court and beyond. The Statement of Licensing Policy is designed to ensure our compliance with legislation and statutory guidance, minimising the risk of legal challenge.

### **6.3 What is the impact on the organisation?**

The adoption of the Policy should have no impact on the organisation. There is no human resource, financial or ICT implications.

### **6.4 Equalities / EIA**

The Statement of Licensing Policy makes links to the Council's Equality and Diversity Policies and an Equalities Assessment exists for licensing activities. This will be reviewed and updated as part of the consultation process.

## 6.5 Implications for (or impact on) climate change and the environment

None

## 7. Implications for partner organisations?

The Statement of Licensing Policy contributes towards the work of the Community Safety Partnership and specifically with the work of the police.

The effective operation of the Policy by the Licensing Authority and all enforcement agencies has an impact on the night time economy and on the co-existence of licensed premises with local residents and communities.

## 7.1 Human Rights Act Implications

None

### Report author(s):

#### Name and job title:

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Enquiries should be directed to the above person.

Contributor/approver name	Title	Service	Date doc sent out	Date response received or approved
<b>Contributors:</b>				
Tom Robinson	Governance Services Officer	Law and Governance	26/06/2025	26/06/2025
Debbie Cahalin-Heath	Strategic Manager of Regulation	Regulatory Services	09/06/2025	12/06/2025

Davina Blackburn	Strategic Lead of Regulation & Communities	Regulatory Services	12/06/2025	23/06/2025
<b>Names of approvers for submission: (officers and members)</b>				
Amy Wright	Regulatory Lawyer	Law and Governance	26/06/2025	01/07/2025
Richard Shirley	Lead Accountant	Finance	26/06/2025	26/06/2025
Julie Newman	Director of Law & Governance	Legal & Governance Services	04/07/2025	07/07/2025



Cllr AS Khan	Cabinet Member for Policing & Equalities		04/07/2025	07/07/20 25
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## **Licensing Act 2003**

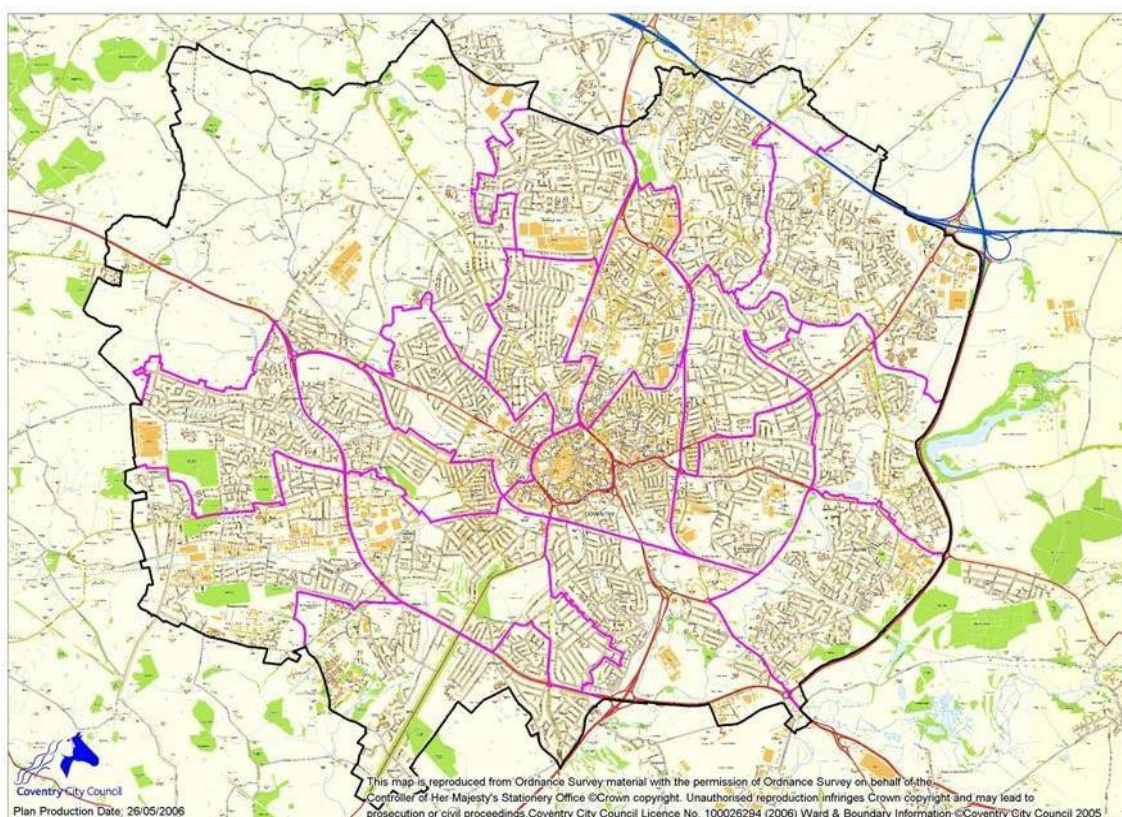
# **Statement of Licensing Policy 2026 - 2031**



## Important Note

In producing this Statement of Licensing Policy, the Licensing Authority is aware that the Government may from time to time amend the Licensing Act 2003, subordinate legislation and statutory guidance.

The Council does not intend to revise this policy document because of any such amendments and readers of this document are advised to check on the Home Office/Gov.uk website to ensure they have the latest information.



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### **Supporting documentation**

The City Council, in consultation with the Responsible Authorities and the Community Safety Partnership has produced two guidance documents which give premises licence holders and other responsible staff practical guidance on the effective management of licensed premises.

These guides are issued during the licensing process and are also available from licensing pages of the City Council web site

- Guidance for On Licensed Premises
- Guidance for Off Licensed Premises

## STATEMENT OF LICENSING POLICY

### 1 INTRODUCTION

1.1 Coventry City Council ('the Council') has a duty under the terms of the Licensing Act, 2003 ('the Act') to carry out its functions as the Licensing Authority with a view to promoting the following licensing objectives:

- **The prevention of crime and disorder**
- **Public safety**
- **The prevention of public nuisance**
- **The protection of children from harm**

1.2 The promotion of these objectives is the paramount consideration when determining an application and any conditions attached to an authorisation.

1.3 Coventry is a growing city situated in the West Midlands with a population of 360,700 inhabitants. It is mainly urban but includes significant areas that are semi-rural. A map of the city is shown on page 2.

1.4 This Statement of Licensing Policy relates to all those licensing activities identified as falling within the provisions of the Act, namely: -

- **The sale by retail of alcohol**
- **The supply of alcohol by clubs**
- **The provision of regulated entertainment**
- **The provision of late-night refreshment**

For the purposes of this document any reference to an "authorisation" means a Premises Licence, Club Premises Certificate, Temporary Event Notice (TEN) and where appropriate to the context, a Personal Licence.

1.5 The Council recognises that the licensing function is only one means of promoting delivery of the above objectives and should not therefore be seen as a means for solving all problems within the community. The Council will therefore continue to work with the Coventry Partnership, neighbouring authorities, West Midlands Police ('the Police'), the Coventry Community Safety Partnership, local businesses, arts organisations, performers, local people and those involved in child protection (Coventry Safeguarding Children Board) to promote the common objectives as outlined. In addition, the Council recognises its duty under S.17 of the Crime and Disorder Act, 1998, with regard to the prevention of crime and disorder etc.

1.6 This Policy Statement has been prepared in accordance with the provisions of the Act and the Guidance issued under Section 182 of the Act. The Policy statement is valid for a period of 5 years from 16<sup>th</sup> March 2026. This Policy Statement will be subject to review and further consultation prior to any substantial changes.

#### **Responsible Authorities**

1.7 A list of contact details for Responsible Authorities authorised under the Act is attached to this Policy Statement as Appendix 2.

- 1.8 The Council has recognised the Coventry Safeguarding Children Board as the local body competent to advise it on the Protection of Children from Harm and has designated it as a Responsible Authority for the purpose of Section 13 of the Act.

### **The Licensing Authority as a Responsible Authority**

- 1.9 The Licensing Authority will, when acting as a Responsible Authority, act in accordance with the Government Guidance issued under Section 182 of the Act wherever possible. It will not normally intervene in applications where the issues are within the remit of another Responsible Authority and will ensure an appropriate separation of responsibilities between the officer administering an application and an officer acting as a Responsible Authority.

### **Public Health as a Responsible Authority**

- 1.10 There is not a specific licensing objective related directly to health within the current legislation. When making a representation, the Director of Public Health is most likely to relate such representations to the objectives on Public Safety and Protecting Children from Harm. This is likely to include the prevention of accidents, injuries and other immediate harms that can result from alcohol consumption, such as unconsciousness or alcohol poisoning.
- 1.11 Health bodies hold valuable information which may not be recorded by other agencies, including analysis of data on attendance at emergency departments and the use of ambulance services following alcohol related incidents. Sometimes it may be possible to link ambulance callouts and attendance to irresponsible practices at specific premises. Anonymised data can be collated about incidents relating to specific premises and presented to Licensing Sub-Committees when representations are made.
- 1.12 Whilst the promotion of Public Health is not a licensing objective as set out in the Act, the Licensing Authority would support where appropriate, any voluntary initiatives that premises may wish to adopt to help reduce alcohol harm within our communities. These may include but is not an exhaustive list:
- Avoiding the sale of beers, lagers and ciders over 6.5% ABV which are sold in plastic bottles or metallic cans (Note: this does not include premium, craft or specialist products as these are not typically used by people with an alcohol use difficulty).
  - Taking steps to consider the display of alcohol in such a manner that will not unduly encourage people to drink irresponsibly and equally limit the exposure children have to alcohol advertising.
  - Refraining from placing alcohol products amongst, near or next to confectionary that would usually be consumed by children or young people (which would include till point toys or stickers).
  - The use of breathalysers as a means of determining intoxication and supporting door staff decisions not to admit or serve customers who are already intoxicated.

## **2 CONSULTATION**

- 2.1 Before publishing this policy statement, the Council has consulted with and considered the views of the following in line with the statutory guidance:
- Chief Constable of West Midlands Police.

- West Midlands Fire & Rescue Authority.
- Director of Public Health – Coventry City Council.
- Other responsible authorities.
- Representatives of current authorisation holders.
- Representatives of Local businesses; and
- Representatives of Local residents.

2.2 Further details on the consultation and political approval process undertaken prior to publishing this document are available via [www.coventry.gov.uk/councillmeetings](http://www.coventry.gov.uk/councillmeetings).

### **3 FUNDAMENTAL RIGHTS**

- 3.1 Under the terms of the Act any person may apply for a variety of authorisations and have each application considered on its individual merits. Equally, any person has a right to make relevant representations on an application or to seek a review of a licence or certificate where provision has been made for them to do so in the Act.
- 3.2 Applicants and those making relevant representations in respect of applications to the Council have a right of appeal to Coventry Magistrates' Court against the decisions of the Council.

### **4 LICENSING CONDITIONS**

- 4.1 Licensing is about regulating the carrying on of licensable activities on licensed premises, by qualifying clubs and at temporary events within the terms of the Act. Premises include open spaces. Conditions attached to various authorisations will be focused on matters, which are within the control of individual licensees and others in possession of relevant authorisations. Accordingly, these matters will centre on the premises being used for licensable activities and the vicinity of those premises. If there is an incident or other dispute, the Council will primarily focus on the direct impact of the activities taking place at licensed premises on members of the public living, working or engaged in normal activities in the area concerned.
- 4.2 The Council cannot impose conditions unless it has received a relevant representation.
- 4.3 When considering any conditions, the Council acknowledges that licensing law should not be seen as the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from licensed premises and therefore beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned. Nonetheless, it is a key aspect of general control and licensing law will always be part of a holistic approach to the management of the evening and night- time economy of the city. For example, applicants should note that stricter conditions to control noise are likely to be imposed in the case of premises situated in largely residential areas.
- 4.4 The Council does not propose implementing standard licensing conditions on licences or other relevant types of authorisation across the board. Therefore, the Council will attach conditions to relevant authorisations which are tailored to the individual style and characteristics of the premises and events concerned and that are appropriate to promote the licensing objectives in the light of the representations received.

### **5 OPERATING HOURS**



- 5.1 The Licensing Authority welcomes the opportunities afforded to the local economy by the 2003 Act and will strive to balance this with the rights of local residents and others who might be adversely affected by licensable activities based on the principles laid down in this document
- 5.2 When dealing with licensing hours, each application will be dealt with on its individual merits. The Licensing Authority recognises that longer licensing hours regarding the sale of alcohol can assist in avoiding concentrations of customers leaving premises simultaneously. This is expected to reduce the friction at late-night fast-food outlets, taxi ranks and other sources of transport which can lead to disorder and disturbance. The Licensing Authority does not wish to unduly inhibit the development of thriving and safe evening and night-time local economies which are important for investment and employment locally and in the main welcomed by residents and visitors to the city.
- 5.3 The Licensing Authority will not set fixed trading hours within designated areas. However, an earlier terminal hour and stricter conditions regarding noise control than those contained within an application, may be appropriate in residential areas where relevant representations are received, and such measures are deemed appropriate to uphold the licensing objectives.
- 5.4 Shops, stores and supermarkets will generally be free to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping, unless there are good reasons based on the licensing objectives for restricting those hours.

## **6 LATE NIGHT LEVY AND EARLY MORNING RESTRICTION ORDER(S)**

- 6.1 The Licensing Authority, having not been presented with sufficient evidence to the contrary, does not consider that the application of a Late Night Levy or Early Morning Restriction Order(s) are appropriate for the Council's area at the present time. The Licensing Authority will keep these matters under review and accordingly reserves the right, should the need arise, to introduce these measures during the life of this statement of licensing policy.

## **7 CUMULATIVE IMPACT**

- 7.1 For the purposes of this document 'cumulative impact' means the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area. Cumulative impact is a proper matter for the Council to consider in developing its licensing policy. This should not be confused with 'need', which concerns the commercial demand for another particular type of premises. Government Guidance states that "need" is not a matter for the Licensing Authority but is a matter for the planning authority and the free market.
- 7.2 The Licensing Authority, having not been presented with sufficient evidence to the contrary, does not consider any area within the city to currently have a particular concentration of licensed premises causing a cumulative impact on one or more of the licensing objectives. The Licensing Authority will keep this matter under review and accordingly reserves the right, should the need arise, to introduce a special policy concerning cumulative impact during the life of this statement of licensing policy.
- 7.3 The absence of a special policy does not prevent any Responsible Authority or any other party from making representations on a new application for the grant of an authorisation on

the grounds that the premises will give rise to a negative cumulative impact on one or more of the licensing objectives. The Act allows for such consideration, but the individual merits of each application must always be considered.

## **8 PROMOTION OF THE LICENSING OBJECTIVES**

### **Prevention of Crime and Disorder**

- 8.1 Licensed premises, especially those offering late night/early morning entertainment or alcohol and refreshment for large numbers of people, can sometimes be associated with elevated levels of crime and disorder.
- 8.2 The Licensing Authority expects existing authorisation holders and new applicants to regularly review their arrangements in addressing crime and disorder issues pertinent to their particular licensable activities, location and/or premises. Information and advice can be obtained from the Police, business network groups and other sources. The Licensing Authority also encourages local residents and other businesses to discuss issues of concern directly with individual businesses, or, to contact the Police Licensing Officer if they believe that particular licensed premises are failing to promote this objective.
- 8.3 The City Council as a statutory member of the Local Community Safety Partnership will develop and deliver against multi-agency strategies and action plans to tackle the misuse of alcohol, which has also been identified in the Cabinet Office's Alcohol Harm Reduction Strategy as being a precursor to crime and anti-social behaviour. The Licensing Authority expects existing authorisation holders and new applicants to be able to demonstrate the measures they use, or propose to adopt, to prevent and actively discourage the sale/supply of alcohol to children and the sale/supply of alcohol to individuals who are already intoxicated and thus potentially vulnerable themselves or pose a risk to others. In general, conditions will reflect local crime issues and subsequent prevention strategies.
- 8.4 The risk assessment approach remains fundamental in the operation and good practice of all licensed premises. Authorisation holders and applicants are strongly recommended to work closely with the Local Policing Unit Partnerships Team in particular, in bringing into effect appropriate control measures to either overcome established or prevent potential problems. A combination of short and longer-term strategies may need to be deployed by authorisation holders to sustain and promote the prevention of crime and disorder. The Police have a list of recommended SIA registered Operators and we would advise that this list be used when considering the employment of SIA registered door staff.
- 8.5 During unprecedented times, such as a pandemic, authorisation holders will also have to work closely with other agencies, such as Environmental Health Officers in order to produce appropriate and adequate risk assessments to demonstrate compliance with relevant government guidance.
- 8.6 Queues at late night take-aways can be a source of disorder and applicants for Premises licences for this type of premises are expected to address this in their Operating Schedule.
- 8.7 The City Council has specific duties under Section 17 of the Crime and Disorder Act 1998 that underpins any control strategy that is employed. The Council will continue to work in partnership with the Police in addressing crime and disorder issues.

- 8.8 The objective of preventing crime and disorder will include the Licensing Authority taking appropriate decisions and/or imposing appropriate conditions, upon a representation being received containing evidence that a licensed premises has a music policy which might incite violence, crime or disorder or the threat of such against minority groups.
- 8.9 Coventry's Director of Public Health will support the Police by facilitating access to health information such as anonymised A&E data due to alcohol related admissions. e.g. as part of a license review application. They will also provide Trading Standards with evidence of the health impact of illicit/counterfeit alcohol.
- 8.10 The Licensing Authority is of the view that generally, in order to promote the licensing objectives; all licensed premises within the city are encouraged to be members of the relevant local Pubwatch Scheme (insert link), where one exists.
- 8.11 The Licensing Authority and Police have a zero tolerance of illegal substance/drug misuse in licensed premises and recognise that drug use is not something that is associated with all licensed premises. However, it is recognised that special conditions may need to be imposed for certain venues to reduce the likelihood of drugs being sold and consumed on the premises and to achieving a safer environment for those who may have taken them.  
**Applicants & existing authorised Licence holders should consider the following:**
- Drink Spiking** insert link
- Violence Against Women & Girls (VAWG)** (insert link)
- Serious Youth Violence** (Insert link)
- Counter Terrorism** (insert link)
- 8.12 Once away from licensed premises a minority of consumers may behave inappropriately and unlawfully. There are additional mechanisms both within and outside the licensing regime that are available for addressing such issues. The Council will address a number of these issues through the Community Safety Service and the Local Partnership in line with the strategic objectives for crime and disorder reduction and drug and alcohol misuse within the city.
- 8.13 In relation to premises seeking or holding a Premises Licence and where alcohol will be sold under the terms of that licence the Licensing Authority expects that (a) any Designated Premises Supervisor (DPS) will have been given sufficient management authority and to be able to exercise effective day-to-day control of the premises and (b) authority to make alcohol sales when given by the DPS or any other Personal Licence holder should be clearly evidenced in writing. This is to ensure that premises selling alcohol are properly managed in accordance with the Act and that premises operate in a way that promotes the prevention of crime and disorder. This will also benefit operators themselves through being able to demonstrate a commitment to the proper management of premises, particularly if enforcement becomes necessary

#### **Promotion of Public Safety**

- 8.14 Public safety is not defined within the Act, but the Government Guidance advises that it is concerned with the physical safety of people using the premises and not with public

health. To ensure the safety of customers, applicants should be prepared to demonstrate, where necessary, that the premises comply with all health and safety regulations and that risk assessments, where needed are current, and in line with relevant government guidance.

- 8.15 Applicants and event organisers will be expected to assess not only the physical environment of the premises (or site) but also operational practices, in order to protect the safety of members of the public visiting the site, those who are employed in the business, those who are engaged in running an event or anyone else that could be affected by site activities. This assessment would normally take place within a risk assessment framework.
- 8.16 Holders of premises licences, and club certificates, or those organising temporary events, should interpret 'public safety' widely to include freedom from danger or harm.
- 8.17 For licensed or certificated premises and for temporary events, public safety must be kept under review and where changes to operational practices/events occur, or the customer profile changes, a review of risk assessments must be undertaken.
- 8.18 Fire safety is governed by the Regulatory Reform (Fire Safety) Order 2005 and is not something with which the Licensing Authority will normally become involved where the Responsible Authority has recommended a safe capacity limit on all or part of premises the Licensing Authority will normally expect an applicant/authorisation holder to follow such a recommendation unless there are good reasons for not doing so.
- 8.19 Businesses must ensure that in carrying out their activities they protect and support even the most vulnerable people and keep them safe from harm.
- 8.20 Coventry's Director of Public Health will support the sharing of health information such as anonymised A&E data with other responsible authorities where it links to public safety. They will also explore the impact of alcohol related incidents on emergency services such as West Midlands Ambulance Service.

### **Prevention of Public Nuisance**

- 8.21 The Licensing Authority remains sensitive to the expectations and needs of different parts of the community in respect of leisure and cultural pursuits and will view applications accordingly. The impact of those activities on people who have to live, work and sleep within the local vicinity of a licensed premises or event will also be considered. If the impact of licensed activities is disproportionate and unreasonable or markedly reduces the amenity value of the area to local people, then the Licensing Authority will take account of this when exercising its functions. The Licensing Authority considers that the potential for public nuisance can be prevented or much reduced by good design and planning during new or ancillary construction works, by the provision of good facilities and effective management. This will require appropriate advice at the planning and development stages of new projects. Applicants should consider carefully the suitability of the premises for the type of activity to be undertaken, particularly in terms of ventilation, odour, light emission, noise breakout and noise/vibration transmission to adjoining premises and the wider community.

- 8.22 Licence holders already in receipt of complaints should seek an early remedy to any confirmed problem. The organisers of temporary events should pre-empt potential

nuisance, especially when complaints have previously arisen at the same venue.

- 8.23 The Licensing Authority expects authorisation holders to use their risk assessments and operating schedules to review and, if need be, to make necessary improvements to the premises, or to operational practices, in order to prevent public or statutory nuisance.
- 8.24 Where the provisions of existing legislation prove inadequate or inappropriate for control purposes, the Licensing Authority will consider imposing licence conditions. Any condition deemed appropriate and imposed by the Licensing Authority to promote the prevention of public nuisance will focus on measures within the direct control of the licence holder or designated premises supervisor.
- 8.25 Coventry's Director of Public Health will provide evidence on the impact of the health and wellbeing of vulnerable groups such as street drinkers, and the effect this has on anti-social behaviour.

#### **Protection of Children from Harm**

- 8.26 The Act details a number of legal requirements designed to protect children in licensed premises. The Licensing Authority is duty bound to ensure that authorisation holders including organisers of temporary events, create safe environments (in terms of physical, moral and psychological welfare) for children who may be on the premises. Children should be unable to access alcohol or drugs and be subject to an appropriate level of care and supervision at all times.
- 8.27 The Act prohibits children aged under 16 years old and unaccompanied by an adult, from being present in licensed premises (including premises operating under a TEN) that are being used primarily or exclusively for consumption of alcohol
- 8.28 In premises where alcohol is sold or supplied it is a mandatory condition that premises licence holders will operate a recognised "Proof of Age" scheme. The City Council supports the Challenge 25 scheme and where this is not proposed within the operating schedule, alternative and similarly rigorous controls should be detailed. The City Council recommends that the premise licence holder operates a method for recording when a sale is refused as part of any age challenge scheme (also known as a refusals book).
- 8.29 The Licensing Authority expects that customers should be confronted by clear and visible signs on the premises that underage drinking constitutes an offence in law and that they may well be required to produce proof of their age to a member of staff. Organisers of temporary events should apply similar safeguards in their undertakings. By ensuring licensed premises refuse sales of alcohol to children, or those attempting to purchase it on behalf of children, this will impact positively on a reduction in child alcohol-related health problems.
- 8.30 Venue operators seeking premises licences and club premises certificates can volunteer prohibitions and restrictions in their operating schedules because their own risk assessments have determined that the presence of children is undesirable or inappropriate. These will become conditions attached to the licence or certificate where no relevant representations are received by the Licensing Authority.
- 8.31 The Licensing Authority regards the Coventry Safeguarding Children Board as being the primary source of advice and information on children's welfare and would normally expect any advice/recommendations from the Board to be followed unless there are good reasons for not doing so. The Licensing Authority will attach appropriate conditions where

these appear appropriate to protect children from moral, psychological or physical harm. It is also reasonable for the Licensing Authority to expect the Responsible Authorities to intervene where the basis for the intervention falls within the remit of that other authority. For example, the police should take appropriate steps where the basis for the review is concern about crime and disorder or the sexual exploitation of children.

- 8.32 The Licensing Authority will consider the need to protect children from sexual exploitation when undertaking licensing functions.
- 8.33 Coventry's Director of Public Health will engage with Coventry Safeguarding Children Board to share relevant information such as data on young people accessing substance misuse services. They will also consider the proximity of licensed premises to schools, youth centres, play groups and family centres and share anonymised A&E data with other responsible authorities relating to young people and alcohol related incidents
- 8.34 In order to prevent children from seeing films incompatible with their age, authorisation holders who exhibit films will be expected to impose and enforce viewing restrictions in accordance with the recommendations of the British Board of Film Classification. In exceptional cases e.g. where the BBFC has not classified a film then the Council may specify viewing restrictions which an authorisation holder will be expected to comply with.
- 8.35 It is expected that authorisation holders will ensure that, whenever children are in the vicinity of a film or exhibition that is being shown/staged in a multi-purpose premises, sufficient ushers/stewards (minimum 18 years old) will be in attendance at the entrance to the viewing rooms at all times to ensure children cannot enter or view the film or exhibition.
- 8.36 Children have access to a range of regulated public entertainment venues and may be present as members of a viewing audience or as performers in their own right. The Licensing Authority expects authorisation holders including those organising temporary public events, to make proper provision for child safety and welfare during such events. Notwithstanding public safety issues, supervisory arrangements must be reflected within operating schedules. Suitable monitoring strategies should also be in place to ensure that supervisory levels are appropriate.
- 8.37 Where a large number of children are likely to be present on any licensed premises, for example, a children's show or pantomime, the Council may require that there is an adequate number of adult staff at places of entertainment to control access and egress of children and to protect them from harm. Children present at events as entertainers will be expected to have a nominated adult responsible for each child performer.

8.38 Child Exploitation - the exploitation of children can take a number of different forms and perpetrators may subject children and young people to multiple forms of abuse at the same time, such as criminal exploitation (including county lines) and sexual exploitation.

8.39 Through partnership working with the Police, Child Protection and other agencies the Licensing Authority will work towards raising awareness of the signs of child exploitation in licensed premises.

## **9 MANDATORY LICENSING CONDITIONS**

- 9.1 The Government has introduced a range of mandatory conditions aimed at establishing minimum standards for the way alcohol is sold. The conditions apply to all alcohol retailers.

## **10 OTHER CONSIDERATIONS**

### **Relationship with Planning**

- 10.1 The Licensing Authority recognises that there should be a clear separation of the planning, building control and licensing regimes. Licensing applications will be viewed independently of planning applications.
- 10.2 The grant of any application or variation of a licence which involves a material alteration to a building would not relieve the applicant of the need to apply for planning permission or building control approval, where appropriate.
- 10.3 There are also circumstances when as a condition of planning permission; a terminal hour has been set for the use of premises for commercial purposes. Where these hours are different to the licensing hours, the applicant must observe the earlier closing time. Premises operating in breach of their planning consent would be liable to enforcement action under planning law.
- 10.4 The Local Planning Authority may also make representations against a licensing application in its capacity as a Responsible Authority, where such representations relate to one or more of the licensing objectives (see Paragraph 1.1 above).

### **Applications**

- 10.5 An applicant may apply under the terms of the Act for a variety of authorisations and any such application will be considered on its individual merits. Any person may make representations on an application or seek a review of a licence or certificate where provision has been made for them to do so in the Act.
- 10.6 The Licensing Authority expects each and every applicant for a premises licence, club premises certificate or variation and TEN to address how they intend to meet the licensing objectives. Where no information is given by the applicant, there may be circumstances where the Licensing Authority considers the application to be incomplete and the application is returned without further processing.
- 10.7 In determining a licence application, the Licensing Authority will take each application on its merits. Licence conditions will only be imposed following a hearing and in order to promote the licensing objectives and will only relate to matters within the control and ability of the applicant. Licence conditions will not normally be imposed where other regulatory provision is in force (e.g. planning, environmental health, fire safety, and building control legislation) so as to avoid confusion and duplication, except where they can be exceptionally justified to promote the licensing objectives.
- 10.8 The Licensing Authority will impose only such conditions as are proportionate towards promoting the licensing objectives and which do not propose unnecessary burdens, and which are appropriate to the individual size, style and characteristics of the premises and events concerned.
- 10.9 In considering applications, the Licensing Authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of public living, working or engaged in normal activity in the area concerned. The Licensing Authority recognises that licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or

authorisation concerned.

- 10.10 Conditions include any limitations or restrictions attached to a licence certificate or other authorisation and essentially are the steps or actions the holder of the authorisation will be required to take or refrain from taking at all times when licensable activities are taking place at the premises in question.
- 10.11 It is recommended that an applicant for a TEN should give at least 28 days prior notice of their intended event, together with a full description of the event, risk assessment and details of how the applicant will promote the licensing objectives. Further, that at the same time of submitting their application to the Licensing Authority they serve notice to the Police and Environmental Health (unless an electronic application). Section 100 of the Licensing Act 2003 stipulates a period of at least 10 working days, exclusive of the day on which the event is to start and exclusive of the day on which the notice is given.

### **Deregulated Public Entertainment**

- 10.12 As a result of the Live Music Act 2012 and The Legislative Reform (Entertainment Licensing) Order 2014 most public entertainment taking place between 0800 and 2300 hrs has, subject to certain conditions, been deregulated and removed from the scope of Licensing Authority control. No authorisation is required where public entertainment is being provided under these statutory exemptions. However, if exempt public entertainment is or will be taking place as well as licensable activities (e.g. selling alcohol) then an authorisation covering the licensable activities will still be required. Operators of 'on-licensed' premises should also note that it is possible to re-introduce full licensing controls over public entertainment where a premises licence or a club premises certificate has been reviewed and a Licensing Sub-Committee determines that it is appropriate for such controls to be re- introduced.

### **Large Scale Events and Safety Advisory Groups**

- 10.13 Organisers of major events are encouraged to approach the Council at the earliest opportunity to discuss arrangements for the licensing of their events. Larger events will require a time-limited premises licence. This will involve the preparation of a substantial operating schedule, full public consultation, and a longer lead in period.
- 10.14 The Council requires a minimum notice period of not less than 3 months for events with a maximum number of attendees between 500 – 19,999, and not less than 6 months for events with a maximum number of attendees greater than 20,000. These events have significant potential to undermine the promotion of the Licensing Objectives due to the number of attendees, the temporary nature of facilities and the variety and complexity of matters that may be relevant. The Council believes these concerns can only be properly mitigated by an applicant engaging with the licensing process at an appropriate time before the event. As part of the process the applicant will be required to participate in the Council's Safety Advisory Group (SAG) meeting(s) prior to the event being held.
- 10.15 The Council's Regulatory Services Department co-ordinates a SAG with membership comprising of all the emergency response and responsible authorities who can support event organisers on event planning if good time is allowed. All major events will be scrutinised by the SAG.
- 10.16 The Authority acknowledges the benefits of working closely with the Responsible Authorities



and other statutory bodies in supporting event organisers in operating safe and well managed events. SAGs or multi-agency meetings are one way of promoting such partnership working.

## **11 Best Practice Schemes**

### **Safe & Secure Licensed Venues**

**11.1 PubWatch** – new applicants & existing authorisation holders are encouraged to be a member of a local PubWatch Scheme. Pubwatch is a community-based scheme, primarily focused on preventing crime and anti-social behavior in and around licensed premises. It involves licensees (owners of pubs and other licensed venues) working together to improve safety and security for staff, customers, and the wider community. Pubwatch schemes often share information, exchange support, and take joint action to address issues like anti-social behavior and criminal activity. Please click on the link for more information ([insert link](#))

## **12 GUIDANCE FOR ON AND OFF LICENSED PREMISES**

- 12.1 Guidance has been developed by the Licensing Authority and the Responsible Authorities to provide a reliable source of information to support authorisation holders in the responsible day to day management of their premises and advise what they must be doing to comply with the Licensing Act. This guidance will be referred to whenever the Licensing Authority or any Responsible Authority have made recommendations for improvements in the management of licensed premises or where new conditions of operation are being considered.
- 12.2 Every licensed premise has been issued with this guidance and new applicants or new Licensees will receive a copy as part of the application process. Further copies can be downloaded from the City Council web site.

## **13 INTEGRATING STRATEGIES AND THE AVOIDANCE OF DUPLICATION**

- 13.1 By consulting widely prior to this policy statement being published, the Council has taken full account of local policies covering crime prevention, public health, anti-social behaviour, culture, transport, planning and tourism as part of an integrated strategy for the Council, police and other agencies. Many of these strategies may not be directly related to the promotion of the licensing objectives, but indirectly impact upon them.
- 13.2 There are a number of wider issues which may need to be given due consideration when dealing with applications. The Council's Licensing and Regulatory Committee can request reports, where it thinks it is appropriate on the following areas: -
- the needs of the local tourist economy to ensure that these are reflected in their considerations;
  - the employment situation and the need for new investment and employment where appropriate;
  - the general impact of alcohol related crime and disorder, by providing regular reports to the planning committee. This will enable the planning committee to have regard to such matters when taking its decisions and avoid any unnecessary overlap; and
  - the national and local needs of when dealing with a pandemic.

### **Crime, Nuisance and Harm Prevention strategies**

- 13.3 Crime, nuisance, harm prevention and drug and alcohol misuse strategies developed through the Coventry Community Safety Partnership (CCSP) will be reflected in any licence conditions suggested by Responsible Authorities, so far as possible.
- 13.4 The CCSP, with membership including the Council, Police and the West Midlands Fire Service, is committed to making Coventry a safe place in which to live, work and visit. The CCSP will co-ordinate action to protect and support our most vulnerable children and adults. It is the role of the CCSP to strategically plan, commission and oversee services that tackle crime and disorder and address drug and alcohol misuse.

### **Health and Wellbeing Strategy**

- 13.5 Alcohol has been identified as a priority within Coventry's Health and Wellbeing Strategy. Drinking too much can cause physical and mental harm. Public health related licence conditions will be used where practicable to reduce the impact of alcohol on public safety and other licensing objectives
- 13.6 The vision of Coventry's Alcohol Strategy is to reduce the harms caused by alcohol misuse and make Coventry a safer and healthier place where less alcohol is consumed. This aim can be supported through opportunities within the licensing process.

### **Cultural strategies**

- 13.7 The Strategic Arts Policy sits within the framework of the Local Cultural Strategy and has been developed within the context of Coventry's existing arts infrastructure, initiatives and activities. The Council will monitor the licensing of regulated entertainment and particularly live music and dancing, to ensure that potential event organisers have not been deterred from making applications because of licensing requirements.

### **Coventry a Marmot City**

- 13.8 In line with the principles of the Marmot Review 'Fair Society, Healthy lives' Coventry City Council has agreed to develop common policies to reduce the scale and impact of health inequalities across the city. This includes focusing interventions such as alcohol reduction on reducing the social gradient in health.

There is a social gradient in the harms from alcohol consumption, but not in alcohol consumption itself. Quantities and patterns of drinking differ across socio-economic groups, as do harmful outcomes.

According to the Marmot Review, those people from more deprived areas who consume alcohol are more likely to have problematic drinking patterns and dependence than those from more affluent areas.

With regards to under 18s, the evidence suggests that fewer young people are drinking alcohol than they did in the past and fewer are suffering serious health implications needing attendance at hospital. However, despite recent declines, the proportion of children in the UK drinking alcohol remains well above the European average and the majority of 17 year olds do drink alcohol. The UK continues to rank among the countries with the highest levels of consumption among those who do drink, and British children are more likely to binge drink or get drunk compared to children in most other European countries. Furthermore, other consequences of alcohol consumption such as regretted sexual activity, arguments, involvement in crime and violence are more prevalent than hospital attendance ([PHE - Data](#)

[intelligence summary: Alcohol consumption and harm among under 18 year olds](#)).

## **Transport**

- 13.9 As part of an agreed enforcement protocol where the police have identified a particular need to disperse people from the city centre swiftly and safely so as to avoid situations which could lead to disorder and disturbance, the Council will inform those responsible for providing local transportation so that arrangements can be made to reduce the potential for problems to occur.

## **Duplication**

- 13.10 When considering any application, the Council will avoid duplication with other regulatory regimes so far as possible. Therefore, the Council will not attach conditions to an authorisation in relation to a matter covered by another regulatory regime unless going beyond such a regime is considered appropriate for the promotion of the licensing objectives in the particular circumstances.

## **Promotion of Equality**

- 13.11 The Licensing Authority in carrying out its functions under the Act is obliged to have 'due regard' to the need to eliminate unlawful discrimination harassment and victimisation, to advance equality of opportunity and to foster good relations between persons with different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Government Guidance advises that conditions should not be attached to authorisations which would duplicate existing statutory requirements. The Council therefore takes this opportunity to remind operators of premises of their duties towards disabled persons (including performers) on their premises under the Building Regulations and the Equality Act 2010. This includes a duty that any person who provides a service to the public must make reasonable adjustments to any physical feature that makes it impossible or unreasonably difficult for a disabled person to access a service, or to provide the services by a reasonable alternative means.

## **14 ENFORCEMENT**

- 14.1 The Licensing Authority has an established working relationship with the Police and other enforcing authorities on enforcement issues. This will provide a more efficient deployment of resources targeting high risk premises and activities.
- 14.2 This enforcement regime in relation to licensing follows the Government's Regulators' Code in that it follows the basic principles of Openness, Helpfulness, Proportionality and Consistency. This is clarified by the operation of a ladder of intervention for Licensed Premises. This ladder of intervention is contained at Appendix 1. [Link to enforcement policy.](#)
- 14.3 Licensed premises are visited by the Responsible Authorities and the Licensing Authority to carry out targeted inspections to check that the premises licence/certificate is being complied with, to check compliance with other legislation and/or to deal with a complaint that has been received.
- 14.4 On some occasions a multi-agency group (representing a number of Responsible Authorities) known as the Licensing Taskforce, will visit the premises. The Taskforce officers inspect the areas of the premises relevant to their role. Again, any action taken

will be in line with the ladder of intervention.

14.5 There are several enforcement options available depending on the outcome of the inspection or complaint which includes:

- Verbal advice – this covers minor complaints/infringements where advice is seen as the most appropriate way to deal with the issue.
- Written warning – this is a step-up from verbal advice and authorisation holders are given a letter recording the warning given and containing the details of any necessary remedial action.
- Action planning – this plan will be written down and given to the authorisation holder and DPS. It explains what actions are required and within what time period, in order to comply with the licensing objectives, specific legislation or conditions. It will be regularly reviewed and if the authorisation holder/DPS have complied, the action plan will be terminated. If there are areas of non-compliance, the authorisation holder may face prosecution or their authorisation may be called for a review.
- Mutual consent to the addition of licensing condition which reflects a harm identified by any of the Responsible Authorities and which the premise licence holder agrees not to continue (known as a minor variation)
- Review – when there is evidence to show that the licensing objectives are not being met then the authorisation holder will have to attend a review hearing in front of the Licensing Sub-Committee. A decision will be made by the Licensing Authority Sub-Committee based on the evidence put forward as to whether the DPS will be removed and/or the authorisation revoked, suspended, amended or have additional conditions applied.
- Prosecution – under the Licensing Act, certain offences can be instituted by the Licensing Authority / Director of Public Prosecutions / the Weights and Measures Authority (Trading Standards). In addition, Responsible Authorities have a wide range of powers to institute prosecution under other specific legislation depending on the nature of evidence found.
- Closure – The Council and several of the Responsible Authorities have the power to close licensed premises whilst on site if they deem it necessary e.g. the Police, Health & Safety, Environmental Health, Trading Standards and the Fire Service. The Licensing Team also have powers to request closure through the Magistrates Court for continuing unauthorised alcohol sales.

## **15 ADMINISTRATION, EXERCISE AND DELEGATION OF FUNCTIONS**

### **Licensing and Regulatory Committee**

- 15.1 The powers of the Council under the Act may be carried out by the Licensing and Regulatory Committee, by a Sub-Committee or, instead, by one or more Council officers acting under delegated authority.
- 15.2 It is considered that many of the decisions and functions will be purely administrative in nature. In the interests of speed, efficiency and cost effectiveness the Council has delegated these functions to Sub-Committees, or in appropriate cases, to officers supporting the licensing function.
- 15.3 Where under the provisions of the Act there are no relevant representations on an application these matters will be dealt with by officers. Should there be relevant representations then an oral hearing will usually take place before a licensing sub-committee except where all parties agree to proceed in writing. A licence/certificate review will normally take place before

a licensing sub-committee. The following table sets out the delegation of functions:

Matters to be dealt with	Full Committee	Sub Committee	Officers
Application for personal licence		If a police objection	If no objection made
Application for premises licence/club premises certificate		If a relevant representation made	If no relevant representation made
Application for provisional statement		If a relevant representation made	If no relevant representation made
Application to vary premises licence/club premises certificate		If a relevant representation made	If no relevant representation made
Application to vary designated premises supervisor		If a police objection	All other cases
Request to be removed as designated premises supervisor			All cases
Application to transfer of premises licence		If a police objection	All other cases
Application for interim authorities		If a police objection	All other cases
Application to review premises licence/club premises certificate		All cases	
Decision on whether a complaint is irrelevant frivolous vexatious etc.			All cases
Decision to object when local authority is a consultee and not the relevant authority considering the application	All cases		
Determination of a police/EHO objection to a temporary event notice		All cases	
Determination of a Minor Variation application			All cases
Removal of the requirement for a designated premises supervisor at community premises		If a police objection	All other cases

### Application forms and process

- 15.4 The application form will be in the prescribed format. The operating schedule will form part of the completed application form for a premises licence and a club premises certificate. The form will need to contain information that describes the style of the venue, the licensable activities to be provided, the operational procedures, hours, nature of the location, needs of the local community, etc. Most importantly, the applicant will have to detail the steps that will be taken to promote the licensing objectives. Applicants should carry out a risk assessment before they apply for a licence.
- 15.5 Applicants are encouraged to fully consult the police and other statutory services well in advance of carrying out their risk assessments and submitting their applications. Application forms and guidance leaflets will be available from the Licensing Team and our website, including contact names for each of the responsible authorities that will be receiving applications. Most applications will require additional documentation and a fee to be included with the form. Incomplete

applications will not be considered and will be returned to the applicant.

15.6 Where national guidance permits, online applications will be accepted providing the necessary documentary attachments are uploaded into the application and the appropriate fee paid. Coventry is currently using the Electronic Licence Management System (GOV.UK) which is supported by the Department of Business Innovation and Skills.

15.7 Applicants are encouraged to make themselves aware of any relevant planning and transportation policies, tourism and cultural strategies and local crime, alcohol, drug and disorder strategies in order to take these into account, where appropriate, when formulating their operating schedule. Guidance notes containing contact and website information about these policies will be available from the Licensing Team, Regulatory Services. Contact details are below.

## **16 Environmental Best Practice in Licensed Premises**

16.1 Applicants and authorised licence holders are encouraged to provide evidence as to how they would promote environmental protection and are encouraged to join the Council in working towards their target of net zero carbon emissions by 2050 by considering a number of measures [insert link](#)

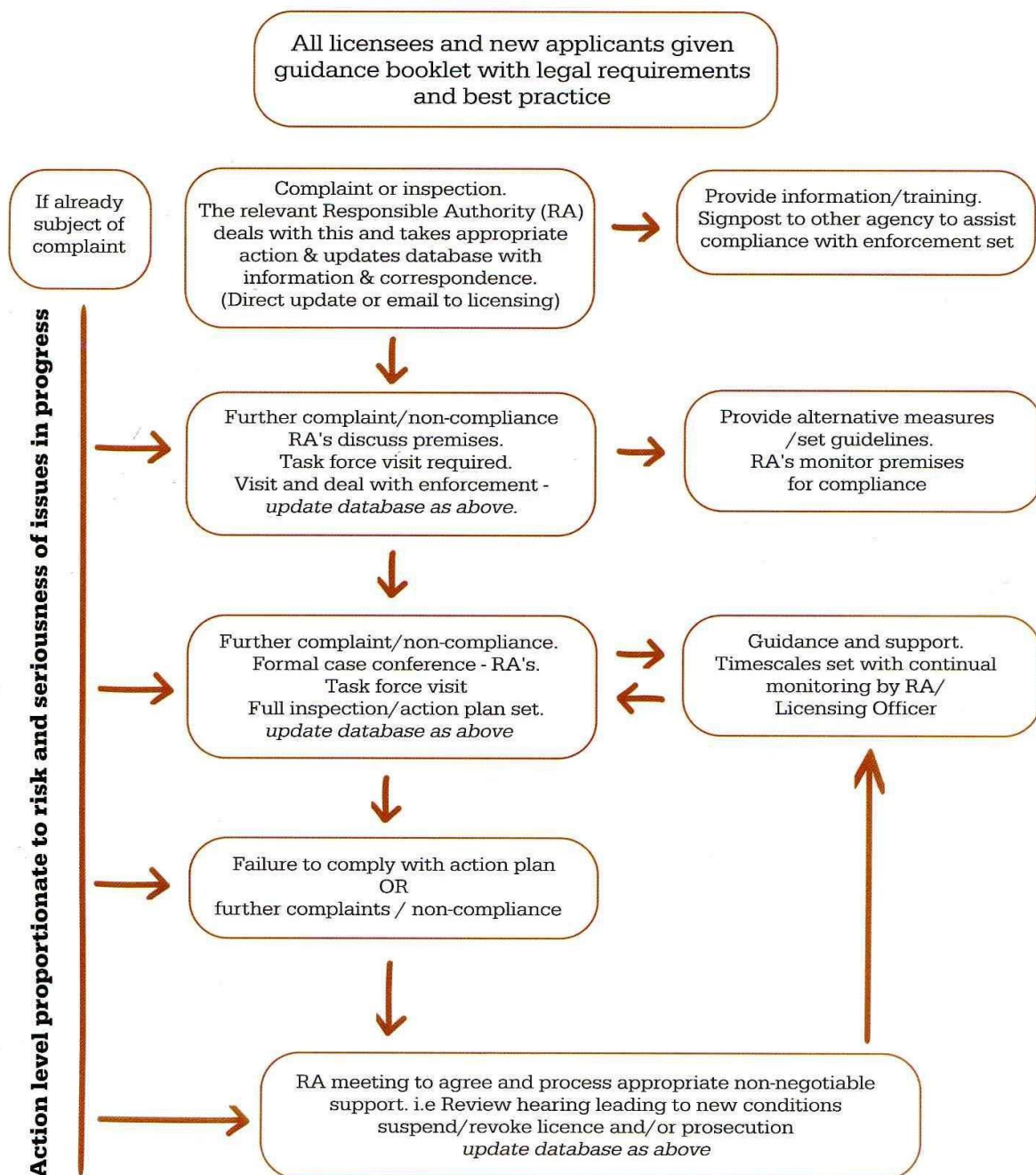
## **17 Comments on this Policy**

17.1 The Statement of Licensing Policy will be reviewed on a regular basis. Individuals and organisations that wish to comment on the policy are invited to send their comments in writing to:

Regulatory Services  
PO Box 7097  
Coventry  
CV6 9SL  
Telephone Number: 024 7697 5496  
E-mail: [licensing@coventry.gov.uk](mailto:licensing@coventry.gov.uk)  
Website [www.coventry.gov.uk](http://www.coventry.gov.uk)

## APPENDIX 1

### Ladder of intervention - approach to enforcement issues





## APPENDIX 2

### Licensing Act 2003 – Responsible Authority Contacts

**Licensing Authority:**

Coventry City Council  
Licensing Team,  
PO Box 7097  
Coventry  
CV6 9SL  
Telephone: 024 7697 5496  
[licensing@coventry.gov.uk](mailto:licensing@coventry.gov.uk)

**Contact:**

Debbie Cahalin-  
Heath  
Strategic Manager -  
Regulation &  
Communities  
[debbie.cahalin-heath@coventry.gov.uk](mailto:debbie.cahalin-heath@coventry.gov.uk)

**Chief Officer of Police:**

West Midlands Police  
Little Park Street  
Coventry  
CV1 2JX  
Telephone: 024 7653 9097

**Contacts:**

[cv\\_licensing@west-midlands.pnn.police.uk](mailto:cv_licensing@west-midlands.pnn.police.uk)

**Fire Authority**

Applications  
Fire Service Head Quarters  
99 Vauxhall Road,  
Vauxhall,  
Birmingham,  
B7 4HW

**Contact:**

[firesafety.admin@wmfs.net](mailto:firesafety.admin@wmfs.net)

**Safeguarding Children Board**

Social Services & Housing  
Chairing and Reviewing Service  
PO Box 7097  
Coventry  
CV6 9SL

**Contacts:**

[safeguardingchildrenlicensing@coventry.gov.uk](mailto:safeguardingchildrenlicensing@coventry.gov.uk)

**Health & Safety Enforcing Authority**

Coventry City Council  
Regulatory Services  
PO Box 7097  
Coventry  
CV6 9SL

**Contacts:**

Food and Health & Safety  
[ehcommercial@coventry.gov.uk](mailto:ehcommercial@coventry.gov.uk)

**Environmental Protection**

Coventry City Council  
Regulatory Services  
PO Box 7097  
Coventry  
CV6 9SL

**Contacts:**

Environmental Protection  
[Env.protection@coventry.gov.uk](mailto:Env.protection@coventry.gov.uk)

**Trading Standards**

Coventry City Council  
Regulatory Services  
PO Box 7097  
Coventry  
CV6 9SL

**Contact:**

Trading Standards/Business  
Compliance  
[tradingstandards@coventry.gov.uk](mailto:tradingstandards@coventry.gov.uk)



**Public Health Board**  
Coventry City Council  
PO Box 7097  
Coventry  
CV6 9SL

**Contact:**  
Public Health  
[publichealthlicensing@coventry.gov.uk](mailto:publichealthlicensing@coventry.gov.uk)

**Planning Authority**  
Coventry City Council  
PO Box 7097  
Coventry  
CV6 9SL

**Contact:**  
Planning  
[planning@coventry.gov.uk](mailto:planning@coventry.gov.uk)

**Secretary of State (Home Office  
Immigration Enforcement)**

**Contact**  
[ie.licensing.applications@homeoffice.gov.uk](mailto:ie.licensing.applications@homeoffice.gov.uk)

#### OTHER USEFUL CONTACTS:

**Health & Safety Executive**  
Licensing Applications/Consultation  
19 Ridgeway  
9 Quinton Business Park  
Quinton  
Birmingham  
B32 1AL  
Telephone: 0300 790 6787

**Coventry City Council Events Team**  
Coventry City Council  
PO Box 7097  
Coventry  
CV6 9SL

Email: [events@coventry.gov.uk](mailto:events@coventry.gov.uk)

**Obtain a basic disclosure  
DBS for your Personal  
Licence**

[Request a basic DBS check -  
GOV.UK](https://www.gov.uk)

**If you need this information in another format, please contact:**

**Telephone: 024 7697 9456**

**e-mail: [licensing@coventry.gov.uk](mailto:licensing@coventry.gov.uk)**

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## **Public report** Cabinet Member Report

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Cabinet Member for City Services  
Licensing and Regulatory Committee

23 July 2025  
5 August 2025

**Name of Cabinet Member:**

Cabinet Member for City Services – Councillor P Hetherton

**Director Approving Submission of the report:**

Director of Law and Governance

**Ward affected:**

All

**Title:**

Review of the current Statement of Licensing Policy (Taxi & Private Hire) to include changes on Emissions, Age of Vehicles and Best Practice Guidance.

---

**Is this a key decision?**

No - Although the matters within the report affect all Wards in the city, it is not anticipated that the impact will be significant.

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**Executive Summary:**

The purpose of this report is to seek Members' views and approval to consult on the draft changes to the Statement of Licensing Policy (Taxi & Private Hire). The main changes in the policy address emissions, age of vehicles and the London Conditions of Fitness. Most of the changes have been made with reference to the Department for Transport (DfT) Taxi and Private Hire Vehicle Licensing, Best Practice Guidance for Licensing Authorities in England.

**Recommendations:**

The Cabinet Member for City Services is recommended to:

- 1) Consider the changes to the Statement of Licensing Policy (Taxi & Private Hire) and authorise the Director of Law and Governance to carry out the consultation as detailed in the report.

The Licensing & Regulatory Committee is recommended to:

- 1) Consider the Statement of Licensing Policy (Taxi & Private Hire) and forward any comments it wishes to make as part of the consultation process.

**List of Appendices included:**

Appendix A - Proposed Statement of Licensing Policy (Taxi & Private Hire) (Date of Policy to be inserted)- (shaded paragraphs illustrate the amendments to the document).

**Background papers:**

None

**Other useful documents:**

DfT Taxi and Private Hire Vehicle Licensing Best Practice Guidance for Licensing Authorities in England (November 2023).

**Has it been or will it be considered by Scrutiny?**

No

**Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?**

Yes - Licensing and Regulatory Committee – 5 August 2025

**Will this report go to Council?**

No

## **Report title: Licensing Act 2003 – Revised Statement of Licensing Policy**

### **1. Context (or background)**

- 1.1 The current Statement of Licensing Policy (Taxi & Private Hire) commenced on 14<sup>th</sup> September 2022. The Policy is reviewed every 5 years unless a review is required due to legislative changes or emerging issues.
- 1.2 The purpose of the Policy is to set out the terms and conditions that will apply to new applicants and those already licensed for the Hackney Carriage & Private Hire trade.
- 1.3 Coventry City Council (The Council) has a duty under the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976 to carry out its functions as the Licensing Authority.
- 1.4 The Council has a duty under these acts to carry out the following functions:
  - Ensure that drivers are ‘fit & proper’.
  - Ensure that all licensed vehicles are road worthy and fit for the carriage of fare paying passengers; and
  - Protect public safety.

The promotion of these functions is of paramount consideration when determining an application and any conditions attached to an authorisation.

- 1.5 The DfT has national responsibility for Hackney Carriage & Private Hire legislation in England & Wales. The DfT has issued best practice guidance on taxi & private hire vehicle licensing since 2006 to assist local authorities that have responsibility for the regulation of taxi & private hire vehicle trades. This is updated periodically, considering stakeholder views and the way in which the sector operates. The DfT has published non statutory best practice guidance to compliment the statutory standards in 2010 and revised and re-issued this in November 2023, covering a range of issues outside of the remit of the statutory standards.
- 1.6 The focus of the best practice guidance is to ensure that taxi & private hire trade provides a safe, inclusive, accessible and attractive service for the passengers they carry. Whilst the safety of the public is paramount, licensing authorities, as regulators, also have a duty to ensure that they carry out their activities in a way that supports the people and businesses that they regulate. The best practice guidance aligns with overarching principles in the Regulators Code that unnecessary burdens should be avoided and that regulators should approve proportionate approaches.
- 1.7 A review of the Statement of Licensing Policy would require a wide consultation process. In addition to those it must consult by law, the Council has authority to include in the process any individuals or organisations it deems appropriate.
- 1.8 The Responsible Authorities (statutory consultees – Chief Officer of Police, Safeguarding Children Board and the Planning Authority) will be consulted on the draft revised Policy.
- 1.9 The public consultation exercise will begin on the 8 August 2025, for an 8-week period and finish on the 3 October 2025 and the following will be consulted:
  - All Taxi & Private Hire licence holders
  - Hackney Carriage trade
  - Unite Trade Union representing the trade
  - Private Hire Operators

- Formally writing to the Chief Officers of the responsible authorities, including the Chief Officer of Police
- Neighbouring local authorities
- Relevant internal departments
- Disabled groups (DEAP)
- Wider public consultation through the City Council Website.

A copy of the draft revised policy is attached at Appendix A of the report.

## **2. Key changes to the Statement of Licensing Policy (Taxi & Private Hire)**

### **2.1 Vehicle Emissions**

- 2.1.1 The Council is part of the West Midlands Taxi Licensing Harmonisation Group which aims to create consistent and standardised taxi licensing policies across the region. Following discussions with neighbouring authorities, the Group have proposed 1<sup>st</sup> January 2030 as the date from which new vehicle licence applications will no longer be accepted for vehicles emitting 75g CO<sub>2</sub>/km or more.
- 2.1.2 Therefore the proposal is to amend the current section on emissions in the Policy so that any new and replacement vehicles are required to be either an Ultra-Low Emission Vehicles (a vehicle that will produce less than 75g CO<sub>2</sub>/km), produce zero emissions or be zero emission-capable by 1<sup>st</sup> January 2030.
- 2.1.3 The West Midlands Taxi Licensing Harmonisation Group are also exploring a regional Emissions Policy with the aim of preventing licensees moving to other local authorities to licence their vehicle, rather than upgrading their vehicle.

### **2.2 Age of Vehicles**

- 2.2.1 The DfT's best practice guidelines strongly suggest that the imposition of arbitrary vehicle age limits may be inappropriate and counterproductive. The guidance recommends that local authorities should focus on condition and standards, including roadworthiness and adherence to emissions standards rather than age. This approach ensures that licensing objectives are met without unduly burdening the trade.
- 2.2.2 Licensing authorities should not impose age limits for the licensing of vehicles instead they should consider more targeted requirements to meet their policy objectives on emissions, safety rating and increasing wheelchair accessible provision where this is low.
- 2.2.3 It is proposed that the Policy be amended to reflect the DfT guidance and that the age limit of vehicles be removed, and adopting the emissions standards as proposed in 2.1 of the report would be more appropriate.

### **2.3 London Conditions of Fitness for Hackney Carriage Vehicles**

- 2.3.1 Currently Coventry adopts the London Conditions of Fitness for Hackney Carriage vehicles, which restricts the type of vehicle that can be licensed as a Hackney Carriage in Coventry to the traditional black cab.
- 2.3.2 The DfT Best Practice guidance recommends that the best practice is for licensing authorities to adopt the principle of enabling as many different types of vehicles as possible to be licensed and licensing authorities should set down a range of general criteria, leaving it open to the taxi and private hire vehicle trades to put forward vehicles of their own choice which can be shown to meet those criteria. In that way, there can be flexibility for new vehicle types to be readily considered.



- 2.3.3 The best practice guidance states that licensing authorities should give very careful consideration to policies that automatically rules out types of vehicles or prescribes only one type or a small number of types of vehicle.
- 2.3.4 It is proposed to remove the London Conditions of Fitness to enable a number of other vehicles which can be licensed as Hackney Carriage vehicles. These vehicles are also wheelchair accessible vehicles (a list of the proposed vehicles are found at Paragraph 5 of the Policy).

## **2.4 DBS update service**

- 2.4.1 The proposed Policy sets an expectation for all licensed drivers to be registered with the Disclosure and Barring Service (DBS) following the issue of their current DBS certificate.
- 2.4.2 Subscribing to the DBS Update Service will allow the Licensing Authority to check their DBS status at any time (a minimum of 6 monthly intervals).
- 2.4.3 By subscribing to the service, it will be more cost effective for the driver and will also save time in processing applications. It will also enable the local authority to check the suitability of the driver in terms of the 'fit and proper' test as it is a requirement to conduct 6 monthly DBS checks on all licensed drivers.

## **2.5 Overseas convictions / Certificate of Good Conduct**

- 2.5.1 The proposed Policy will be amended to include that when a certificate of good conduct is provided and the documents are not in English a notarised translation would need to be provided by the applicant at their own expense.
- 2.5.2 This proposal is required to enable the licensing authority to assess the suitability of the applicant, and this should not be a cost to the local authority.

## **3. Options considered and recommended proposal.**

- 3.1. Should the proposed amendment to the Policy in respect of vehicle emissions not be approved over 400 vehicles would be required to be replaced by the taxi licensing trade. A reduction in the overall operational fleet would have the following significant impact:
- A reduction in the available fleet to undertake school contracts within Coventry & Warwickshire as much of the licensed Hackney Carriage Vehicle fleet is contracted to such work.
  - A reduction in the number of wheelchair accessible vehicles -currently only Hackney Carriage Vehicles are wheelchair accessible (no Private Hire Vehicles are wheelchair-accessible).
- 3.2. The trade has suffered significant commercial loss from the COVID pandemic, cost of living crisis and due to the availability of vehicles licensed outside of the Coventry boundary. Therefore, this extended lead period will provide sufficient time for the trade to prepare for complying with the proposed emissions standards and obtaining suitable compliant vehicles.
- 3.3 The proposed amendment to the emissions section of the Policy has been made in collaboration with colleagues in the Climate Change Team.
- 3.4 Removing the London Conditions of Fitness in conjunction with the revision of emissions standards in the Policy will provide a greater flexibility for drivers when selecting vehicles to licence and will enable a more accessible fleet in terms of wheelchair accessibility.

- 3.5 Removing the London Conditions of Fitness will even the playing field as all neighbouring authorities do not adopt such conditions to their Hackney Carriage fleet.
- 3.6 The Cabinet Member for City Services is requested to consider the draft revised Statement of Licensing Policy and authorise the Director of Law & Governance to carry out the consultation as detailed in the report.
- 3.7 The Licensing and Regulatory Committee is requested to consider the draft revised Statement of Licensing Policy and forward any comments as part of the consultation process.

#### **4. Results of consultation undertaken**

- 4.1 The results of the consultation process will be submitted for consideration to Cabinet Member for City Services before a finalised policy document is presented to Full Council for approval.

#### **5. Timetable for implementing this decision.**

- 5.1 The revised Statement of Licensing Policy must be published by 1<sup>st</sup> January 2026 allowing the Council to continue to carry out any function in respect of individual applications.

#### **6. Comments from Director of Finance and Resources (Section 151 Officer) and Director of Law and Governance.**

##### **6.1 Financial implications**

The financial implications associated with the recommendation are limited to the employee costs associated with undertaking the consultation exercise and any costs involved in publishing the Statement of Licensing Policy, which are funded within existing budgets.

##### **6.2 Legal implications**

The licensing function is carried out by the Council's Licensing and Regulatory Committee and officers exercising delegated powers. The one exception is the approval of the Policy, which must be approved by Full Council.

The Council is required to have regard to any DfT best practice guidance when carrying out any licensing functions including its Statement of Licensing Policy

#### **7. Other implications**

##### **7.1 How will this contribute to achievement of the One Coventry Plan?**

<https://www.coventry.gov.uk/strategies-plans-policies/one-coventry-plan>

The Policy aligns with the One Coventry Plan to work together to improve our city and the lives of those who live, work and study here. The changes to the policy will encourage a more flexible approach to licensing which will encourage the trade to licence with Coventry, increasing the economic prosperity of the City and region.

The changes to the policy will encourage a more inclusive fleet, which aligns with the objective of tackling inequalities within communities.

The policy aligns with the One Coventry Plan as the Council is acting as partner with neighbouring authorities by harmonising our policies with those in the region, encouraging a level playing field for those within the hackney carriage and private hire trade.

## **7.2 How is risk being managed?**

The Statement of Licensing Policy will inform decisions taken by the licensing authority that will have an impact on the interests of private individuals and businesses. The Policy reflects the need to respect the relevant rights given by the Human Rights Act.

Decisions of the Licensing Authority are open to challenge through the Magistrates Court and beyond. The Statement of Licensing Policy is designed to ensure our compliance with legislation and best practice guidance, minimising the risk of legal challenge.

## **7.3 What is the impact on the organisation?**

The adoption of the policy should have no impact on the organisation. There is no human resources, financial or ICT implications.

## **7.4 Equalities / EIA**

The Statement of Licensing Policy makes links to the Council's Equality and Diversity Policies and an Equalities Impact Assessment exists for licensing activities. This will be reviewed and updated as part of the consultation process.

## **7.5 Implications for (or impact on) climate change and the environment**

The Policy has been reviewed in collaboration with the Climate Change team, and it contributes to the Council's aim for Coventry to be carbon neutral by 2050, with an interim target of a 68% reduction in emissions by 2030.

## **8. Implications for partner organisations?**

The Statement of Licensing Policy contributes towards the work with partner agencies specifically with the work of the police and safeguarding children.

The effective operation of the policy by the Licensing Authority and all enforcement agencies has an impact on the public safety of residents and communities.

## **8.1 Human Rights Act Implications**

None

**Report author:**

Debbie Cahalin-Heath

Strategic Manager, Regulation and Communities, Regulatory Services

**Directorate:**

Law and Governance

**Telephone:** 024 7697 2220**Email:** [debbie.cahalin-heath@coventry.gov.uk](mailto:debbie.cahalin-heath@coventry.gov.uk)

Enquiries should be directed to the above person.

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John Seddon	Strategic Lead – Policy and Innovation	Regeneration and Economy	25/06/2025	25/06/2025
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Richard Shirley	Lead Accountant	Finance and Resources	24/06/2025	24/06/2025
Julie Newman	Director of Law and Governance	-	27/07/2025	07/07/2025
Councillor P Hetherton	Cabinet Member for City Services	-	27/06/2025	10/07/2025

This report is published on the Council's website: [www.coventry.gov.uk/council-meetings](http://www.coventry.gov.uk/council-meetings)

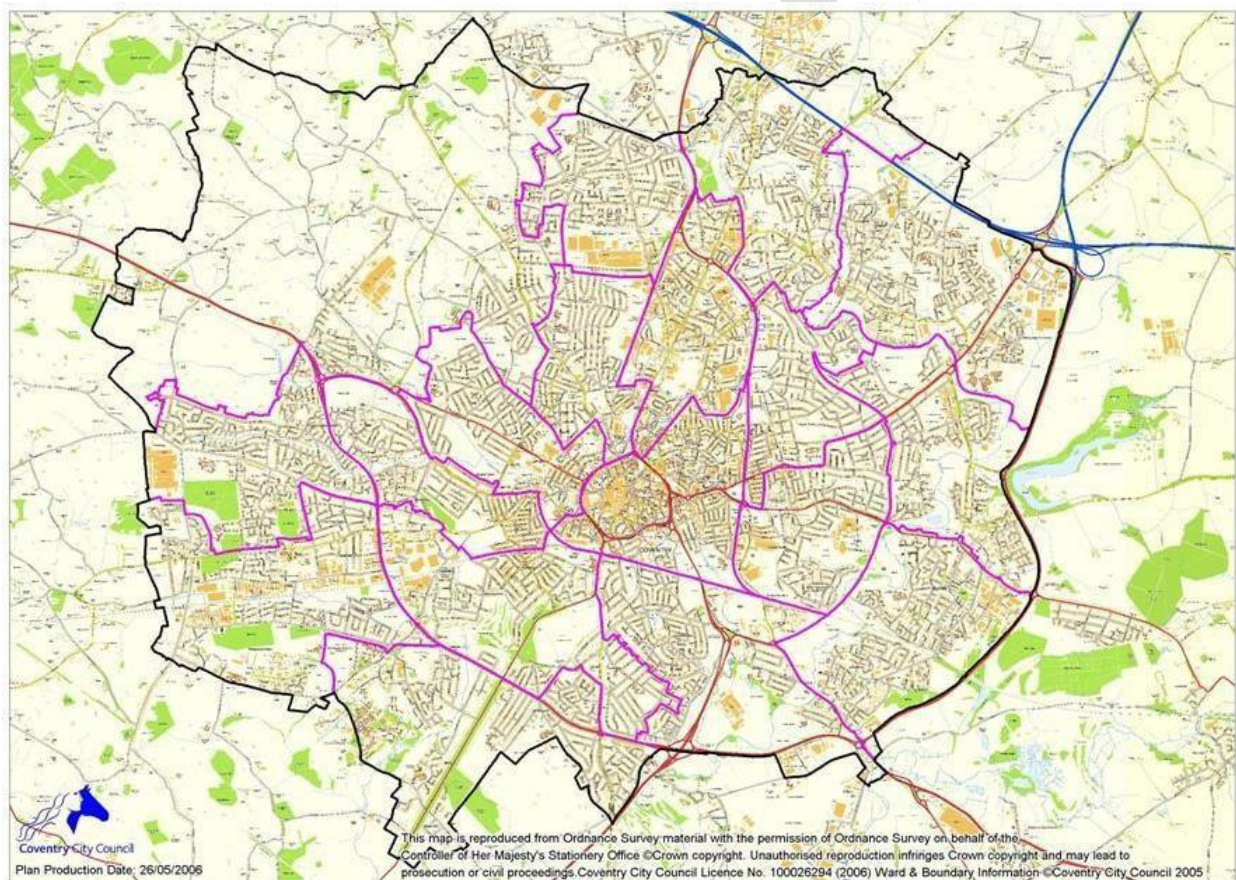
**Statement of  
Licensing Policy  
(Taxis and  
Private Hire)  
~~2022-2027~~ 2026  
- 2031**

## Important Note

In producing this Statement of Licensing Policy, the Licensing Authority is aware that the Government may from time to time amend the Town Police Clauses Act 1847 and Local Government (Miscellaneous Provisions) Act 1976, subordinate legislation and statutory guidance.

The Council does not intend to revise this policy document because of any such amendments and readers of this document are advised to check on the Home Office/Gov.uk website to ensure they have the latest information.

*map of the area covered by Coventry City Council*





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## **Supporting documentation**

Taxi Licensing has produced three documents which give new applicants and existing licensed drivers, vehicle proprietors & private hire operators guidance on licensing with Coventry City Council. For the purposes of this document “Taxis” refers to hackney carriage vehicles).

These guides are issued during the licensing process and are also available from licensing pages of the City Council web site ([www.coventry.gov.uk/taxilicensing](http://www.coventry.gov.uk/taxilicensing))

- Guidance for Drivers entitled “Driver Information Document”
- Guidance for Vehicle Proprietors entitled “Vehicle Proprietors’ Information Document”
- Guidance for Private Hire Operators entitled “Operator Information Document”

## STATEMENT OF LICENSING POLICY (TAXIS AND PRIVATE HIRE)

### 1. INTRODUCTION

- 1.1 Coventry City Council ('the Council') has a duty under the terms of the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976 to carry out its functions as the Licensing Authority. The Department for Transport (DfT) has national responsibility for hackney carriage and private hire legislation in England & Wales. The Department has produced statutory standards for taxis and private hire vehicles which sets out standards which can be considered good practice in this area of licensing, although it also recognises that individual licensing authorities should produce their own policies in relation to specific licensing matters. The DfT has also set statutory standards for taxis and private hire vehicles. The DfT has also set statutory standards for private hire operators. These standards have been taken into consideration in preparing this statement of licensing policy.
- 1.2 There are no formal objectives, however the Council has a duty under these Acts to carry out the following functions:
- Ensure that drivers are "Fit and Proper";
  - That all licensed vehicles are roadworthy and fit for the carriage of fare-paying passengers; and
  - Protect public safety.
- 1.3 The promotion of these functions is the paramount consideration when determining an application and any conditions attached to an authorisation.
- 1.4 Coventry is a growing city situated in the West Midlands with a population of 371,500 inhabitants. It is mainly urban but includes significant areas that are semi-rural. A map of the city is shown on page two.
- 1.5 This Statement of Licensing Policy relates to all those licensing activities identified as falling within the provisions of the Act, namely:
- The licensing of Hackney Carriage Drivers & Private Hire Drivers;
  - The licensing of Hackney Carriage Vehicle Proprietors & Private Hire Vehicle Proprietors; and
  - The licensing of Private Hire Vehicle Operators.
- 1.6 The Council recognises that issuing licences are not the only means of promoting delivery of the above functions and therefore Taxi Licensing engages with neighbouring authorities, West Midlands Police (the "Police") and those involved in child protection (Coventry Safeguarding Children Board) to promote the common functions as outlined.
- 1.7 This Policy has been prepared in accordance with DfT Statutory Taxi & Private Hire Vehicle Standards guidance issued November 2023. The Policy is valid for a period of 5 years from 14<sup>th</sup> September 2022 1<sup>st</sup> January 2026. This Policy will be subject to review and further consultation prior to any substantial changes.



## **Responsible Authorities**

- 1.8 A list of contact details for Responsible Authorities authorised under the Acts is attached to this policy statement as Appendix 1.
- 1.9 The Council has recognised the Coventry Safeguarding Children Board as the local body competent to advise it on the protection of children from harm and has designated it as a responsible authority where children may be at risk.

## **The Licensing Authority as a Responsible Authority**

- 1.10 The Licensing Authority will, when acting as a responsible authority, act in accordance with the aforesaid Acts and the DfT Statutory Standards.

## **2 FUNDAMENTAL RIGHTS**

- 2.1 Under the terms of the legislation any person may apply for a licence and each application will be considered on its individual merits.
- 2.2 Applicants in respect of applications to the Council for licensing have a right of appeal to Coventry Magistrates' Court against the decisions of the Council.

## **3. DECISION MAKING**

- 3.1 Officers have been granted delegated powers in granting licences however, if an applicant has a single driving offence of four points or over or multiple driving offences for totting up purposes of over seven points then the applicant/renewal must be referred to the Licensing & Regulatory Committee (Committee) for consideration.
- 3.2 There are officers' guidelines for referrals to the Committee in the Driver Information Document, (which is available on the website: [www.coventry.gov.uk/taxilicensing](http://www.coventry.gov.uk/taxilicensing)). Likewise, there are also guidelines for the Committee in making their decisions on applications or referrals.

## **4. DRIVERS**

### **4.1 Fit and Proper**

- 4.1.1 The Council will not grant a licence to a new applicant for a Hackney Carriage or Private Hire Driver's licence unless satisfied that the applicant is a fit and proper person.

### **4.2 Requirement for applying for a Driver's licence**

- 4.1.2 There is no minimum or maximum age as such, but an applicant must have held a valid drivers licence) for a minimum of 12 months and must hold a valid UK driving licence. The Council issues three yearly driver licences to applicants for hackney or private hire licences. The Council does not issue joint licences although a driver holding one of these licences may apply for an additional licence so that they then hold both licences.

### **4.3 Licences**

- 4.3.1 Once new applicant drivers are licensed, they are given a three-year licence and this is then renewed on a three yearly basis. Taxi Licensing does not issue licences on a probationary basis. The only exception to this is if a Right to Work has an expiry date, then the licence is only issued until the expiry date of the Right to Work.

#### **4.4 Right to Work in the UK**

- 4.4.1 The Council requires all applicants to provide documents to prove that they may legally work in the UK. The Council will also verify an applicants right to work in the UK by checking with the Home Office.
- 4.4.2 Unless an applicant or driver seeking a renewal has a valid UK or Eire passport they must supply an Immigration Code available from the Home Office website.

#### **4.5 Medical Examination**

- 4.5.1 Applicants must arrange for any Medical Practitioner to carry out a Group 2 Medical by giving their Medical Practitioner a medical form (in the Driver's Information Document). On request from the Taxi Licensing Office the applicant can ask for a form which shows whether the applicant is exempt from carrying out duties under the Equality Act 2010 (wheelchair passengers and assistance dogs).
- 4.5.2 Existing drivers are required then to undertake medicals five-yearly up to the age of 65 and annually thereafter.
- 4.5.3 The Council may also require any existing driver to undertake a medical if the Council has concerns concerning the driver's fitness.

#### **4.6 Driving Assessment**

- 4.6.1 The Council requires new applicants to undertake and pass a practical driving assessment with assessors based in fleet services.
- 4.6.2 If Officers deem it necessary, they may require an existing driver to undertake a wheelchair assessment.

#### **4.7 Wheelchair Assessment (normally hackney carriage only)**

- 4.7.1 The Council requires new applicants to undertake and pass a practical wheelchair assessment with assessors based in fleet services.
- 4.7.2 If Officers deem it necessary, they may require an existing driver to undertake a wheelchair assessment.

#### **4.8 All day Driver Training Course**

- 4.8.1 The Council requires new applicants to undertake and pass a Driver Training Course, that includes a written test, conducted by licensing officers, sometimes with assistance from Childrens Safeguarding. This course encompasses Customer Service, Disability Issues, Licensing Issues, Communication & Numeracy Skills, Child Sexual Abuse, County Lines exploitation and a knowledge of locations in Coventry.
- 4.8.2 Pedicab drivers, classified as Pedicab Private Hire Drivers, are only allowed to operate within the city inner ring road and therefore, are not required to undertake a driving assessment or a knowledge of locations in Coventry.

#### **4.9 Half Day Driver Refresher Training Course**

- 4.9.1 Existing drivers are required to undertake a half day driver refresher training course before they undertake their renewal of licence. This course encompasses Customer Service, Disability Issues, Child Sexual Abuse and County Lines exploitation.

#### **4.10 Hackney Carriage Road Knowledge Test**

4.10.1 The Council requires new hackney carriage applicants to undertake and pass a hackney carriage road knowledge written test.

#### **4.11 Photographs**

4.11.1 New applicants and renewals must supply Home Office (passport type) current photographs to confirm their identity and to produce badges for the driver once licensed.

#### **4.12 Enhanced DBS check & DVLA check**

4.12.1 New applicants and renewals must supply a code from the Disclosure and Barring Service (DBS) and the Driver and Vehicle Licensing Agency (DVLA) for the licensing office to carry out checks on convictions and any other relevant information on application

4.12.2 Current licensees undertake **an enhanced** DBS and DVLA check at their three-yearly renewal.

~~4.10.3 Registering with the DBS Update Service is currently voluntary but as of the 26 January 2023 it will be a mandatory requirement for drivers to subscribe to the Update Service. This will then enable Coventry City Council to check their DBS status on a six-monthly basis. This service is cheaper than the current DBS at the Taxi Licensing Office counter.~~

**4.12.3 All drivers are expected to register with the DBS update service following the issue of their current DBS certificate. Subscribing to the DBS update service will allow the Licensing Authority to check their DBS status at any time (a minimum of 6 monthly intervals).**

~~4.10.4 There will be some drivers who are unable to register with the DBS Update Service and in this case those drivers as of the 26 January 2023 will have to undertake a six-monthly DBS by providing a DBS Code and submitting their documentation and pay the fee to the Taxi Licensing Office.~~

4.12.4 A check of the children and adult Barred lists is undertaken with the enhanced DBS.

#### **4.13 Common Law Police Disclosures**

4.13.1 Officers maintain close links with the West Midlands Police. For any licensed drivers that are subject to criminal proceedings or investigations, the Police will notify the Taxi Licensing Office. The appropriate action will be taken against the licence holder, which may include revocation of the licence.

#### **4.14 Licensee self-reporting**

4.14.1 As a condition of licence, Private Hire drivers are required to declare any convictions and/or cautions within seven days of receiving them. Dependant on the severity of the conviction/caution the driver may be referred to Committee

4.14.2 All Licence holders must notify the Taxi Licensing Office within 48 hours of an arrest and release, charge or conviction of any sexual offence, any offence involving dishonesty or violence and any motoring offence.

#### **4.15 Referrals to the Disclosure and Barring Service (DBS) and the Police**

4.15.1 Officers refer and have referred drivers to the DBS and the Police, when they suspect criminal

activities are taking place

#### **4.16 Rehabilitation of Offenders Act**

- 4.16.1 Cautions and convictions that are protected under Article 2A of the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 do not need to be declared by new applicant drivers or existing drivers. However, offences not covered under the Act must be declared unless DBS classify them as protected/filtered.

#### **4.17 Interview**

- 4.17.1 New applicants are interviewed by Officers on submission of their application to confirm that they have declared all their names (current and previous), that they have declared their convictions (apart from convictions which are protected and filtered) and to confirm their right to work and status.

#### **4.18 Overseas convictions**

- 4.18.1 ~~Taxi Licensing requires new applications who have not lived in the United Kingdom for a minimum of five years to provide a Certificate of Good Conduct from their previous country(ies) of residence from the country's consulate, embassy or judiciary. Applications who have previously spent three or more continuous months outside the UK are also required to provide this.~~

- 4.18.1 Where documents are not in English, a notarised translation will need to be provided by the applicant at their own expense.

#### **4.19 Conditionality - HMRC Taxi Tax Code**

- 4.19.1 New applicants who have previously been licensed by another local authority as a hackney carriage or private hire driver and applicant renewals must have registered with HMRC under "Gateway" for tax purposes and obtain a HMRC Taxi Tax Code to obtain their licence or be renewed.
- 4.19.2 New applicants who have not been previously licensed by another local authority as a hackney carriage or private hire driver must by the time of their renewal have registered with HMRC under "Gateway" for tax purposes and obtain a HMRC Taxi Tax Code to obtain their licence or be renewed

### **5. VEHICLES**

#### **5.1 Limitation on Numbers**

- 5.1.1 No powers exist for licensing authorities to limit the number of private hire vehicles they will licence.
- 5.1.2 Coventry has no limit on the numbers of hackney carriage vehicles that they will licence.

#### **5.2 Specifications and Conditions**

- 5.2.1 Local authorities have a wide range of discretion over the types of vehicles that they can license as hackney carriage or private hire vehicles.

~~5.2.2 The Council specifies that Hackney Carriage Vehicles must comply with London's Conditions of Fitness and therefore licenses the traditional London type black cab (currently LTC's TX4; LEVC's TX; Mercedes Vito Taxi 113, 114 (with the 180 degree turning circle); and the Nissan Dynamo).~~

5.2.2 The Council allows the following makes and models of vehicles to be licensed as Hackney Carriage vehicles (some of which are wheelchair accessible or will need to be modified). This list is not exhaustive and officers may remove or add to this as the availability of vehicles changes. However, the Council will only licence those vehicles which are or will be modified to be wheelchair accessible.

Make	Model
Citroen	Dispatch HDI 120 9-S Dispatch L2 H1 Level 2 Relay L3 H2 SVA Taxi
Clipper Automotive	Clipper Cab
Fiat	Scudo TW200
Ford	Procab Tourneo Custom Voyager VTC8
LEVC	LEVC TX

<b><u>LTi</u></b>	TX1 TX2 TX4
<b><u>Mercedes</u></b>	Vito
<b><u>Nissan</u></b>	Dynamos Primastar Voyager
<b><u>Peugeot</u></b>	Boxer 290 E7 E7 SE
<b><u>Volkswagen</u></b>	T5 Shuttle SE SWB 10

- 5.2.3 The Council specifies that Private Hire Vehicles must be as manufactured, unless adapted to carry wheelchair passengers, but must also comply with further Conditions (which are stated in the Vehicle Proprietors' Information document). The Council does not specify particular makes of vehicles to be licensed. Each case will be considered on its own merits.
- 5.2.4 The Council also specifies the criteria to be met by any vehicle presented for inspection which comprises:
- an MOT element dealing with vehicle safety;
  - a test of the taximeter (if fitted, mandatory in hackney carriage vehicles); and
  - as licensed Taxis and Private Hire Vehicles a supplementary test dealing with licensing issues such as wheelchair ramps, straps for securing wheelchairs, paintwork, advertising, stickers and minimum of 2mm tread depth (the statutory minimum of 1.6mm) etc.
- 5.2.5 Local authorities are able to designate external Driver and Vehicle Standards Agency (DVSA) testing stations. Coventry City Council has designated that all inspections are carried out by the Council's fleet services at Whitley Depot (DVSA authorised) as it is a central location in a compact city boundary therefore, vehicle proprietors are not required to travel long distances to undertake their inspections. Coventry City Council believes that having the vehicles undertake their inspections at the Council leads to a more robust testing regime for vehicles. The supplementary test requirements are dealt with by a Vehicle Inspection Manual which is available online.
- 5.2.6 Any vehicle licence issued by the Council may be subject to conditions as at Appendix 2.
- 5.2.7 The Council strongly recommends that anybody wishing to licence a private hire vehicle

brings the vehicle to the Taxi Licensing Office so that officers can ensure that the vehicle complies with the relevant conditions.

### **5.3 Accessibility**

- 5.3.1 All the hackney carriage vehicles currently licensed to ply for hire are wheelchair accessible. Any private hire vehicles requiring wheelchair accessibility are required to comply with DVSA and European Whole Vehicle Type approval standards.
- 5.3.2 The Council maintains a list of accessible taxis and private hire vehicles in accordance with section 167 of the Equality Act 2010. The effect of this is to require the driver of any accessible vehicle contained in the list:
- to carry the passenger while in the wheelchair;
  - not to make any additional charge for doing so;
  - if the passenger chooses to sit in a passenger seat, to carry the wheelchair;
  - to take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort; and
  - to give the passenger such mobility assistance as is reasonably required.
- 5.3.3 Under the Equality Act 2010 and Taxis & Private Hire Vehicles (Disabled Persons) Act 2022 drivers on medical grounds are available to get their GP to designate that they are exempt from carrying wheelchair passengers and/or assistance dogs. The Council then issues them a sign to display in their front window to that effect.

### **5.4 Stretch Limousines, Novelty Vehicles and Pedicabs/Tuk Tuks**

- 5.4.1 The Council will licence stretch limousines, novelty vehicles and Pedicabs/Tuk Tuks however, they are required to comply with different conditions from a normal private hire vehicle. These conditions are attached at Appendix 2. Pedicab Private Hire Vehicles also do not have to undertake an MOT inspection but must undertake a CYTEC inspection by an external tester which must specify their chassis number.

### **5.5 Taxi Ranks**

- 5.5.1 **The** Council can designate ranks on the public highway under licensing legislation, the designation **and enforcement** of ranks in Coventry is undertaken by Traffic Management under Traffic Regulation Orders. These ranks are only to be used by Coventry licensed hackney carriage vehicles when they are plying for hire and cannot be used by other local authority vehicles or Coventry licensed private hire vehicles.

### **5.6 Area of Use**

- 5.6.1 Vehicles will not be licensed if they are intended to be used primarily outside the city of Coventry. This is to ensure that vehicles are available for hire for residents of the city and to ensure that enforcement checks and inspections can be undertaken, which would not be

the case if they were working elsewhere.

5.6.2 Applicants for new licences and renewals need to demonstrate a real intention to ply for hire within the administrative area of Coventry City Council under the terms of the licence for which application is being made. All applicants are required to sign to confirm that they will predominantly work within the Coventry area.

5.6.3 Where a licence has been granted under these terms and subsequently found to be plying for hire to a material extent in another authority's area then the matter will be brought before the Licensing and Regulatory Committee for a review of the licence.

#### **5.7` Transfer of Ownership when a licensed vehicle is transferred from one person to another**

5.7.4 Section 49 of the Local Government (Miscellaneous Provisions) Act 1976 enables a licensed proprietor to transfer his licensed vehicle to a new proprietor. The same requirements for area of use are applicable to the new proprietor.

### **5.8 Age Policy of Vehicles**

~~5.8.1 On the 27 August 2019 the full Cabinet of Coventry City Council required that as of the 1 January 2020 any vehicle that is 15 years of age or older at the expiry of the licence is not renewed or granted a licence.~~

**5.8.1 The Council does not impose an age policy on vehicles.**

### **5.9 Emissions Policy**

~~5.9.1 On the 27 August 2019 the full cabinet of Coventry City Council put into place an Emissions Policy for replacement and new vehicles.~~

~~5.9.2 From 1 January 2020 any replacement vehicles were required to be Euro 4 Emission or above while any new vehicles were required to be Zero Emission Capable.~~

~~5.9.3 From 1 January 2022 any replacement vehicles are required to be Euro 5 Emission or above while any new vehicles are required to be Zero Emission Capable.~~

~~5.9.4 From 1 January 2024 any replacement vehicles and any new vehicles are required to be Zero Emission Capable.~~

~~5.9.5 An amended to the above has been made so that it is from 1 January 2025 any replacement vehicles are required to be Zero Emission Capable.~~

**5.9.1 From 1<sup>st</sup> January 2030 any replacement vehicles and any new vehicles are required to be ultra low emission, zero emission or zero emission capable. (Ultra-low Emission Vehicles (ULEV's) produce less than 75g CO2/km.**

### **5.10 Vehicle Inspection Frequency**

5.10.4 Vehicle proprietors are required to have their vehicles tested at least once a year (at application or prior to the licence renewal).



~~5.10.2~~ Hackney Carriage Vehicles which are five years of age or older are required to have six-monthly inspections (i.e. twice per year), once on the application/renewal and six months later (i.e. mid-term of the annual licence).

~~5.10.3~~ Private Hire Vehicles and Pedicab Private Hire Vehicles which are three years of age or older are required to have six monthly inspections (i.e. twice per year), once on the application/renewal and six months later (i.e. mid-term of the annual licence). Pedicab Private Hire Vehicles undertake a CYTEC inspection by an external tester.

## **5.11 Advertising on Private Hire and Hackney Carriage Vehicles**

~~5.11.1~~ Advertising is not allowed on Private Hire Vehicles apart from the approved Council stickers stating the vehicle operator and vehicle details

5.11.2 The Council has produced guidelines relating to advertising (also known as liveries) on Hackney Carriage Vehicles. These advertisements must be approved by Taxi Licensing prior to be placed on the vehicle. These Guidelines are attached at Appendix 3.

## **5.12 Roof Signs**

~~5.12.1~~ All London Conditions of Fitness purpose built hackney carriage vehicles are already factory fitted with roof signs.

5.12.1 All Hackney Carriages must have a 'Taxi' roof sign. When the roof sign is illuminated, it tells the public the taxi is available for hire. When the roof sign is not illuminated, it means the taxi is occupied or not available for hire. The roof sign should be illuminated bearing the word 'Taxi' in black letters on a yellow background facing forwards and on a red background facing backwards.

5.12.2 It is a requirement of the Local Government (Miscellaneous Provisions) Act 1976 that a private hire vehicle shall not be of such design and appearance as to lead any person to believe that a vehicle is a hackney carriage. Therefore, private hire vehicles shall not carry roof signs.

## **5.13 Fares**

5.13.1 The Council sets maximum fares for journeys within the boundary of the city of Coventry in hackney carriage vehicles, most private hire operators also adopt this tariff.

## **5.14 Vehicle Repair and Maintenance**

5.14.1 Hackney Carriage and Private Hire vehicles must be kept at all times in an efficient, safe, tidy and clean condition. Compliance with the vehicle specifications and conditions is essential and will be enforced by periodic, random vehicle inspections by the Council, sometimes in conjunction with other agencies e.g. West Midlands Police, DVSA, Housing Benefit, Home Office. When it is found that any vehicle is not being properly maintained, a defect notice(s) will be served on the driver and/or proprietor setting out the defect(s) and where public safety is likely to be imperilled, suspending the further use of the vehicle for work purposes, until the defects have been remedied. The proprietor may be required to have the vehicle inspected at Whitley Depot fleet services and this may be at the proprietor's expense.

5.14.2 Where a vehicle is consistently being presented for routine inspections and is found to have significant safety defects then previous inspections will be reviewed and taken into

consideration. If previous reports reveal a history of poor maintenance, then officers may revoke the vehicle proprietor's licence.

## **5.15 Fees**

- 5.15.1 Fees for Private Hire and Hackney Carriage licensing are levied on a cost recovery basis. These fees are reviewed yearly and operate on a three-year rolling basis to ensure that the service is cost neutral.

## **5.16 Tinted Windows**

- 5.16.1 Vehicle tint must be as manufactured and comply with the law.

## **5.17 Licences**

- 5.17.1 Licences are issued annually.

## **5.18 Basic DBS check**

- 5.18.1 New applicant and annual renewals for vehicle proprietors are required to undertake a basic DBS check unless they already subscribe to the DBS Update Service.
- 5.18.2 A Revocation or Refusal of a Driver's licence does not preclude that person applying to become a licensed vehicle proprietor.

## **5.19 Common Law Police Disclosures**

- 5.19.1 Officers maintain close links with the West Midlands Police.

## **5.20 Licensee self-reporting**

- 5.20.1 Hackney Carriage and Private Hire Vehicle Proprietors are not required to declare any convictions and/or cautions until their annual renewal although are encouraged to report when they are convicted. Dependant on the severity of the conviction/caution the driver may be referred to Committee.
- 5.20.2 All Licence holders must notify the Taxi Licensing Office within 48 hours of an arrest and release, charge or conviction of any sexual offence, any offence involving dishonesty or violence and any motoring offence. IA

## **5.21 Referrals to the Disclosure and Barring Service (DBS) and the Police**

- 5.21.1 Officers refer and have referred drivers to the DBS and the Police.
- 5.21.2 Specifically, officers will refer to the DBS and the Police if;

- An individual has harmed or poses a risk of harm to a child or vulnerable adult;
- An individual has satisfied the 'harm test'; or
- received a caution or conviction for a relevant offence and;

- the person they are referring is, has or might in future be working in regulated activity;

## **5.22 CCTV and Accident Data Recording Devices /Dashcams in vehicles**

- 5.22.1 Vehicle proprietors are permitted to install an **Accident Data Recording Devices (ADRD)** in their vehicle. This must not include any personal data (i.e. words or images either inside or outside the vehicle).
- 5.22.2 Vehicle proprietors are permitted to install CCTV in their vehicles. Audio recording of conversations is not permitted and any facility to use audio must be disabled.
- 5.22.3 The Information Commissioners Office (ICO) is the office responsible for regulating matters relating to CCTV. Responsibility for informing the ICO applies to a specified company, organisation or individual vehicle owner (data controller). The reason for this is that information captured on CCTV is regarded as personal data.
- 5.22.4 Further requirements for CCTV and ADRD systems are listed in detail on the Vehicle Proprietors' Information Document.

## **6 PRIVATE HIRE OPERATORS**

### **6.1 Objective**

- 6.1.1 The objective in licensing private hire operators is ensuring the safety of the public who will be using operators' premises, vehicles and drivers arranged by them.

### **6.2 Licences**

- 6.2.1 Once new applicant drivers are licensed, they are given a five-year licence and this is then renewed on a five yearly basis. Taxi Licensing does not issue licences on a probationary basis.

### **6.3 Planning**

- 6.3.1 Any person(s) wishing to apply for an Operator's licence within Coventry City Council must have sought the relevant planning permission or obtained an exemption from planning.

### **6.4 Bookings**

- 6.4.1 A private hire operator must ensure that they only take bookings for, and dispatch private hire vehicles licensed by Coventry City Council and only driven by drivers who hold a private hire licence issued by Coventry City Council unless the work is contracted out in accordance with the Deregulation Act 2015 and Sections 55a and 55b of the Local Government (Miscellaneous Provisions) Act 1976.

### **6.5 Application Process**

- 6.5.1 The application process is available in the Operators' Information Document.

### **6.6 Length of Licence**

- 6.6.1 The licence lasts for five years.

### **6.7 Fit and Proper**

- 6.7.1 The Council will not grant a licence for a Private Hire Operator unless satisfied that the applicant is a fit and proper person. Applicants/renewals are asked for their criminal record.

Their immigration/right to work is checked. Licensed operators must notify the taxi licensing office within 14 days of any convictions or cautions or if the operator is a company/partnership then any imposed on the company/partnership or any of the directors/partners.

## **6.8 Basic DBS check**

- 6.8.1 New applicant and annual renewals for private hire operators are required to undertake a basic DBS check, unless they subscribe to the DBS Update Service and must declare their convictions. This must include all Directors (if a limited company) and all Partners (if a partnership).

## **6.9 Common Law Police Disclosures**

- 6.9.1 Officers maintain close links with the West Midlands Police. For any operators that are subject to criminal proceedings or investigations, the Police will notify the Taxi Licensing Office. The appropriate action will be taken against the licence holder, which may include revocation of the licence.

## **6.10 Referrals to the DBS and the Police**

- 6.10.1 Officers refer and have referred operators to the DBS and the Police especially if;

- An individual has harmed or poses a risk of harm to a child or vulnerable adult;
- An individual has satisfied the 'harm test'; or
- received a caution or conviction for a relevant offence; and
- the person they are referring is, has or might in future be working in regulated activity.

## **6.11 Training**

- 6.11.1 Staff working for operators taking private hire bookings must undertake training in order to understand their duties to disabled persons, so that they understand the issues of communicating with disabled persons and so that they can arrange an appropriate vehicle for those with a particular requirement or need.

## **6.12 Booking and dispatch staff**

- 6.12.1 Under the Private Hire Operators Conditions of Licence at Appendix 2, the Operator is required to keep records of:

### Proprietor/vehicle records

- (a) vehicle registration number;
- (b) local authority licence plate number;
- (c) colour, make and model of each vehicle;
- (d) name and address of proprietor;
- (e) the date on which the vehicle became available to the operator;
- (f) the date on which the vehicle ceased to be available; and
- (g) current and continuous certificate of insurance or cover note relating to vehicle.

### Driver records

- (a) name and address of driver;
- (b) driver's contact telephone number (if applicable);
- (c) driver's unique call signs; and
- (d) photocopy of the driver's badge showing a true likeness.

The driver and vehicle records referred to above shall be held and secured at the operator's business address and shall be immediately available at the request of an authorised council officer or police constable at all reasonable times.

6.12.2 In addition under the Operator's Conditions of Licence the following must be retained:

The operator shall, in the record referred to above, enter or cause to be entered therein, before the start of each journey, the following particulars of every booking received:

- (a) date on which the booking is made and, if different, the date of the proposed journey;
- (b) time of booking;
- (c) time job was allocated to driver;
- (d) time of passenger pick-up (POB);
- (e) name of hirer;
- (f) point of pick up and destination;
- (g) driver's unique call sign or name;
- (h) where requested, any fare agreed or estimated for the journey; and
- (i) details of any sub-contractor used.

### **6.13 Use of passenger carrying vehicles licensed drivers**

6.13.1 The Conditions of Licence for Private Hire Operators do not specify anything concerning Passenger Carrying Vehicles (PCV) licensed drivers and therefore, members of the public are entitled to expect when booking with an operator that they receive a private hire vehicle licensed vehicle and driver.

### **6.14 HMRC Taxi Tax Code**

6.14.1 New applicants who have previously been licensed by another local authority as a private hire operator and applicants for renewals must have registered with HMRC under "Gateway" for tax purposes to obtain a HMRC Taxi Tax Code for their licence or be renewed.

6.14.2 New applicants who have not been previously licensed by another local authority as a private hire operator must by the time of their renewal have registered with HMRC under "Gateway" for tax purposes and obtain a HMRC Taxi Tax Code to obtain their licence or be renewed.

### **6.15 Contractual Obligations with Passengers**

6.15.1 Private Hire Operators will be required to demonstrate that their contractual obligations comply with section 55 of the Local Government (Miscellaneous Provisions) Act 1976 and the Divisional Court's decision in UTAG and Uber v TfL [2021] EWHC 3290 whereby a licensed operator who accepts a booking from a passenger is required to enter as principal into a contractual obligation with the passenger to provide the journey which is the subject of the booking.

## **7 WHISTLEBLOWING**

- 7.1 Coventry City Council maintains a robust whistleblowing process by reporting to the Chief Internal Auditor or the Council's Monitoring Officer. This policy is available on the Council's website.

## **8. LICENSING CONDITIONS**

- 8.1 Reasonable conditions can be imposed on Hackney Carriage Vehicle Proprietors, Private Hire Drivers, Private Hire Vehicle Proprietors and Private Hire Operators. Conditions cannot be imposed on Hackney Carriage Drivers, these conditions are listed at Appendix 2.

## **9 OTHER CONSIDERATIONS**

### **9.1 Working with the Police**

- 9.1.1 The Police under the notifiable occupations scheme have a duty to inform Taxi Licensing if they know that a licensed hackney carriage or private hire driver has been arrested or have information with concerns about the driver.
- 9.1.2 The Cabinet Member for City Services chairs a Taxi Forum meeting where representatives of the trade, Unite Union and the Police are invited to attend.

### **9.2 Sharing licensing information with other licensing authorities**

- 9.2.1 Officers attend regular meetings with the other West Midlands authorities and Warwickshire Councils where information can be shared.
- 9.
- 9.2.3 Applicants and licensees are all required to inform Taxi Licensing if they hold/have held a licence with another local authority and to disclose if an application for a licence has been refused, revoked or suspended by another other local authority.
- 9.2.4 Coventry City Council uses the NAFN NR3 Register of Revocations, Refusals & Suspensions in order to assess whether a driver has previously been revoked, refused or suspended by another local authority who uses the register.

### **9.3 Multi-agency Safeguarding Hub (MASH)**

- 9.3.1 Taxi Licensing shares information concerning safeguarding children from sexual abuse and exploitation with Childrens' Safeguarding.

### **9.4 Training decision makers**

- 9.4.1 Training is provided to members annually of the licensing Committee; normally by a solicitor who is conversant in licensing legislation.

### **9.5 Complaints against licensees**

- 9.5.1 Taxi Licensing have an online complaint form whereby complainants can report their concerns. The complainant can also be sent a hard-copy complaint form if required. When a complaint comes in the licensee is contacted and interviewed, then dependant on the nature of the complaint and a driver's complaint history the taxi licensing office takes action. This is normally on an escalating nature (e.g. None, Verbal Advice, Written Advice, Written Warning, Referral to the Licensing & Regulatory Committee). If the complaint warrants a prosecution under licensing legislation then Pace interviews are carried out.
- 9.5.2 Complaints are recorded on an excel spreadsheet with various classifications dependant on the complaint nature. The complaint details are recorded on the driver's file. These complaints are retained on the licensees file indefinitely.

## **9. ENFORCEMENT**

### **9.1 Licensing & Regulatory Sub-Committee (Committee)**

- 9.1.1 New applicant drivers may be referred to the Sub-Committee by Officers dependant on DBS, DVLA, Police or any other relevant authority information that may deemed to be relevant. Applicants or licensees may be also referred concerning complaints when previously licensed by Coventry or other local authorities or if they have ever been refused/revoked by another local authority.
- 9.1.2 Existing drivers may be referred to the Sub-Committee by Officers dependant on DBS, DVLA, Police or any other relevant authority information that may deemed to be relevant. Drivers may also be referred concerning their history of complaint (s).
- 9.1.3 Private Hire Drivers must notify any offences with 7 days of receiving them to the Taxi Licensing Office. Hackney Carriage Drivers are not required to notify the Taxi Licensing Office until their renewal; however the office advises them to declare the offences to us anyway.
- 9.1.4 If a new applicant/driver has multiple driving endorsed offences of 7 or more points or a single offence of 4 points then they will be referred to the Sub-Committee.
- 9.1.5 Licence holders must notify the issuing authority within 48 hours of an arrest and release, charge or conviction of any sexual offence, any offence involving dishonesty or violence and any motoring offence. An arrest for any of the offences within this scope will result in a review by the issuing authority as to whether the licence holder is fit to continue to do so. It is for the licensing authority to consider what, if any, action in terms of the licence should be taken based on the balance of probabilities.
- 9.1.6 Guidelines to Officers for Sub-Committee referral and Guidelines to the Sub-Committee for any such referrals are in the Driver Information Document and attached at Appendix 4.

### **9.2 Joint authorisation of enforcement officers.**

There are no current joint authorisations in place, however Wolverhampton licensing Officers come into Coventry on a regular basis to carry out checks on their licensed drivers operating in Coventry. This is something that has been discussed with the Taxi Harmonisation Group and Coventry City Council are in talks with Wolverhampton Council concerning joint authorisations of enforcement Officers.

## **10. ADMINISTRATION, EXERCISE AND DELEGATION OF FUNCTIONS**

### **Licensing and Regulatory Committee / Sub-Committee**

- a. The powers of the Council under the Act are carried out by the Licensing and Regulatory

Committee / **Sub-Committee**, or by the Senior Licensing & Enforcement Officer in conjunction with the Chair/Deputy Chair of the Licensing and Regulatory Committee acting under delegated authority.

- b. It is considered that many of the decisions and functions will be purely administrative in nature. In the interests of speed, efficiency and cost effectiveness the Council has delegated these functions to officers supporting the licensing function.
- c. A driver's licence can be revoked under delegated powers if;
  - i. A driver is disqualified from driving during the term of a licence issued by the City Council and where the driver's DVLA licence will not be restored during that term;  
or
  - ii. In the opinion of the Senior Licensing and Enforcement Officer in consultation with the Chair of the Licensing Committee (or in his/her absence the Deputy Chair or in the absence of either, the City Solicitor) it is necessary that immediate steps be taken to revoke a licence in the interests of public safety.

## **11. COMMENTS ON THIS POLICY**

- a. The Statement of Licensing Policy will be reviewed on a regular basis. Individuals and organisations that wish to comment on the policy are invited to send their comments in writing to Taxi Licensing, 259 Whitley Depot, London Road, Coventry, CV3 4AR.



## Appendix 1

### Authority Contacts

#### **Licensing Authority**

Coventry City Council  
Taxi Licensing Office  
Whitley Depot  
259 London Road  
Coventry  
CV3 4AR  
Telephone: 024 7683 2183  
[taxi.licensing@coventry.gov.uk](mailto:taxi.licensing@coventry.gov.uk)

#### **Disclosure & Baring Service**

PO Box 110  
Liverpool L3 6ZZ  
Disclosure Tel: 0870 90 90 844  
Dispute Tel: 0870 90 90 778

#### **Hackney Carriage Vehicle Ranks**

Coventry City Council  
Traffic Management  
Telephone: 024 7683 4324  
e-mail: [TrafficManagement@coventry.gov.uk](mailto:TrafficManagement@coventry.gov.uk)

#### **Unite Union**

(Coventry Taxi Trade Representatives)  
02476 227361)

#### **Coventry City Council Planning Service**

Place Directorate.  
Tower Block Earl Street  
Coventry CV1 4LF  
Telephone: 024 7683 1212  
e-mail: [planning@coventry.gov.uk](mailto:planning@coventry.gov.uk)

#### **Radio Communications Agency**

New King's Beam House  
22 Upper Ground  
London SE1 9SA  
24 hour enquiries: 0171 211 0211

## **Responsible Authority Contacts**

### **Chief Officer of Police:**

West Midlands Police  
Little Park Street  
Coventry CV1 2JX  
Telephone: 024 7653 9097

[cv\\_licensing@west-midlands.pnn.police.uk](mailto:cv_licensing@west-midlands.pnn.police.uk)

### **Safeguarding Children Board**

Social Services & Housing  
Chairing and Reviewing Service  
PO Box 15,  
Earl Street  
Coventry  
CV1 5RR

[safeguardingchildrenlicensing@coventry.gov.uk](mailto:safeguardingchildrenlicensing@coventry.gov.uk)

### **Planning Authority**

Coventry City Council  
PO Box 15  
Earl Street  
Coventry  
CV1 5RR

[planning@coventry.gov.uk](mailto:planning@coventry.gov.uk)

## Appendix 2

### Private Hire Drivers' Conditions of Licence

#### 1. Conduct of Driver

The driver shall;-

- a) afford all reasonable assistance with passengers' luggage,
- (b) at all times be clean and respectable in his/her dress and person and behave in a civil and orderly manner,
- (c) take all reasonable steps to ensure the safety of passengers conveyed in, entering or alighting from the vehicle driven by him/her,
- (d) not without the express consent of the hirer, drink or eat in the vehicle,
- (e) not without the express consent of the hirer, play any radio or sound reproducing instrument or equipment or equipment in the vehicle other than for the purpose of sending or receiving messages in connection with the operation of the vehicle,
- (f) at no time, cause or permit the noise emitted by any radio or other previously mentioned equipment in the vehicle which he/she is driving to be source of nuisance or annoyance to any person, whether inside or outside the vehicle,

#### 2. Passengers

- 1) The driver shall not convey or permit to be conveyed in a private hire vehicle a greater number of persons than that prescribed in the licence for the vehicle.
- (2) The driver shall not allow there to be conveyed in the front of a private hire vehicle:-
  - (a) any child below the age of ten years; or
  - (b) more than one person above that age.
- (3) The driver shall not without the consent of the hirer of a vehicle convey or permit to be conveyed any other person in that vehicle.

#### 3. Lost Property

- 1) The driver shall immediately after the termination of any hiring of a private hire vehicle or as soon as practicable thereafter, carefully search the vehicle for any property which may have been accidentally left there.
- 2) If any property accidentally left in a private hire vehicle by any person who may have been conveyed therein is found by or handed to the driver the latter shall seek to identify the owner thereof failing which the property shall be delivered to the nearest police station with an explanation of the circumstances.

#### 4. Written Receipts

The driver shall if requested by the hirer of a private hire vehicle provide him/her with a written receipt of the fare paid.

#### 5. Animals

The driver shall not convey in a private hire vehicle any animal belonging to or in the custody of him/herself or the proprietor or operator of the vehicle.

#### 6. Prompt Attendance

The driver of a private hire vehicle shall, if he/she is aware that the vehicle has been hired to be in attendance at an appointed time and place or he/she has otherwise been instructed by the operator or proprietor of the vehicle to be in attendance at an appointed time and place, punctually attend at that appointed time and place, unless delayed or prevented by sufficient cause.

## 7. Deposit of Licence

If the driver is permitted or employed to drive a private hire vehicle of which the proprietor is someone other than him/herself, he/she shall before commencing to drive that vehicle deposit this licence with that proprietor for retention by him/herself until such time as the driver ceases to be permitted or employed to drive the vehicle or any other vehicle of his/her.

## 8. Taximeter

If a private hire vehicle being driven by the driver is fitted with a taximeter, the driver shall not cause the fare recorded thereon to be cancelled or concealed until the hirer has had a reasonable opportunity of examining it and has paid the fare.

## 9. Fare to be Demanded

The driver shall not demand from any hirer of a private hire vehicle a fare in excess of any previously agreed for that hiring between the hirer and the operator or, if the vehicle is fitted with a taximeter the fare shown on the face of the taximeter.

## 10. Change of Address

The driver shall notify the council of any change of his/her address during the period of the licence within 7 days of such change taking place.

## 11. Convictions/Cautions

The driver shall within 7 days disclose to the council in writing details of any conviction or caution imposed on him/her during the period of the licence.

## 12. Return of Badge

The driver shall upon the expiry (without immediate renewal), revocation or suspension of this licence forthwith return to the council the driver's badge issued to him/her by the council when granting this licence.

## 13. Records

- 1) The driver shall maintain and carry within the vehicle driven by him/her a record in the form of a loose leaf or bound book and shall enter therein before the commencement of each journey the following details:-
  - (a) The name of the driver.
  - (b) The registration number of the vehicle being driven.
  - (c) The name and address of the hirer or passenger to be carried.
  - (d) The time and date for commencement of journey.
  - (e) The destination of journey.
  - (f) The point of pick-up.
  - (g) Signature of driver
- 2) The records shall be retained by the driver and delivered to the operator not later than 7 days from the date of the last entry.

## 14. Cashless Facilities

Functioning cashless facilities must be carried and cashless payments cannot be refused and must not incur the passenger additional costs. These cashless facilities must be registered as a "transport" provider or similar with the payment card reader provider.

## 15. Test/Assessments for new first time applicant Pedicab Private Hire Drivers

A new applicant pedicab private hire driver is not required to undertake the private hire driver road knowledge test or the driving assessment. However, it should be noted that the pedicab cannot be used outside the inner ring road and if the pedicab private hire driver should subsequently want to be licensed as a private hire driver to use motorised vehicles then they are required to undertake the private hire road knowledge test and driving assessment.

#### 16. Vaping

Drivers are prohibited from vaping in Private Hire Vehicles.

## **Private Hire Vehicle Proprietors Conditions of Licence**

### **1. Maintenance of Vehicle**

The vehicle and all its fittings and equipment shall at all times when the vehicle is in use or available for hire be kept in an efficient, safe, tidy and clean condition and all relevant statutory requirements including in particular those contained in the Motor Vehicles (Construction and Use) Regulations shall be fully complied with.

### **2. Details of Vehicle**

All vehicles shall be painted in a single colour save that two colours may be permitted provided only one appears above or below the contour line of the vehicle.

No material alterations or change in the specification, design, condition or appearance of the vehicle shall be made without the approval of the council at any time while the licence is in force.

### **3. Identification Plate (+ Disk)**

The plate identifying the vehicle as a private hire vehicle and required to be exhibited on the vehicle, pursuant to Section 48(6) of the Local Government (Miscellaneous Provisions) Act 1976 shall be securely fixed to the rear of the vehicle in a conspicuous position and in such a manner as to be removable by an authorised officer of the council or a police officer.

### **4. Interior Markings**

The proprietor shall cause to be clearly marked and maintained inside the vehicle in such a position as to be visible at all times to persons conveyed therein the number of this licence and the number of passengers prescribed in this licence.

### **5. Safety Equipment**

There shall be provided and maintained in the vehicle at all times when it is in use or available for hire a suitable and efficient fire extinguisher and a suitable first aid kit containing appropriate first aid dressings and appliances, such equipment to be carried in such a position in the vehicle as to be readily visible and available for immediate use in an emergency.

### **6. Signs, Notices, Etc.**

- a No signs, notices, advertisements, plates, marks, numbers, letters, figures, symbols, emblems or devices whatsoever shall be displayed on, in or from the vehicle except as may be required by any statutory provision or required or permitted by these conditions; provided however that this condition shall not apply to any indication on a taxi meter fitted to the vehicle.
- b The proprietor shall cause to be affixed and maintained in the vehicle in a conspicuous position in accordance with the directions of the council any sign or notice relating to private hire vehicles which the council may from time to time require.
- c There may be displayed within the vehicle for the information of passengers a table of fares in a form and printing previously submitted to and approved by the council.

### **7. Change of Address**

The proprietor shall notify the council in writing of any change of his/her address during the period of the licence within seven days of such change taking place.

### **8. Convictions**

The proprietor shall within seven days disclose to the council, in writing, details of any convictions imposed on him (or, if the proprietor is a company or partnership, on any of the

directors or partners) during the period of the licence.

#### 9. Deposit of Driver's Licences

If the proprietor permits or employs any other person to drive the vehicle as a private hire vehicle, he shall before that person commences driving the vehicle cause the driver to deliver to him his private hire driver's licence for retention until such time as the driver ceases to be permitted or employed to drive the vehicle or any other vehicle of his/hers.

#### 10. Notification of Drivers

A proprietor shall inform the Taxi Licensing Office of Coventry City Council of the names and addresses of all licensed drivers permitted or employed to drive licensed vehicles within seven days of the date of appointment or termination as the case may be.

#### 11. Functioning Cashless Payment Facility in Vehicles

Proprietor(s) must ensure their vehicles are equipped with a functioning cashless payment facility. These cashless facilities must be registered as a "transport" provider or similar with the payment card reader provider.

#### 12. Vaping

Drivers are prohibited from vaping in Private Hire Vehicles.

## **Private Hire Stretched Limousine Vehicle Proprietors Conditions of Licence**

1. All bookings for a licensed limousine must be on an 'exclusive hire' basis and be taken by a licensed Private Hire Operator.
2. Each vehicle will only be licensed by the Council if it is:
  - Suitable in type, size and design;
  - Not of a design and appearance whereby it could be confused with a hackney carriage;
  - In a suitable mechanical condition;
  - Safe and comfortable;
  - Insured for private hire use not just for weddings and funerals.
3. A stretched limousine for the purpose of licensing in Coventry shall be a vehicle modified as a stretched vehicle, such as a Ford Lincoln, Ford Excursion, Cadillac, Volvo or Mercedes, by a converter approved by the manufacturer.
4. The criteria for licensing these vehicles by Coventry City Council will be the same as for private hire vehicles subject to the following amended conditions
  - The vehicle will be licensed for a maximum of eight passengers;
  - Tinted windows must comply with the Road Vehicles (Construction & Use) Regulations 1986 in so far as the windscreen and front side windows are concerned;
  - The vehicle may be left hand drive provided it is fitted with a forward-facing camera on the offside of the vehicle (such as in the wing mirror) and a monitor displaying video from the camera and visible to the driver;
  - A seat belt must be fitted for each seat in accordance with the Construction and Use Regulations and must be used by passengers;
  - Each passenger must be able to exit the vehicle on both sides of the vehicle by either a door or an emergency window exit. Childproof locks which prevent egress from the rear of the vehicle shall not be fitted or if fitted, shall be permanently disabled;
  - The vehicle will be required to pass a vehicle inspection, before licensing and at four monthly intervals, to a standard set by the City Council at a City Council nominated garage/MOT testing station;
  - Where alcohol is supplied it must be authorised under the Licensing Act 2003 and no alcohol shall be supplied to any person below the age of 18.
  - A notice, authorized by the Taxi Licensing Office, must be displayed so that it is visible to all the passengers denoting that the vehicle is licensed as a private hire vehicle and that any complaints should be addressed to the Taxi Licensing Office. An additional notice, authorized by the Taxi Licensing Office, must be displayed on the front windscreen (but not in the swept area) advising pedestrians that the vehicle is licensed by Coventry City Council.
5. As with Executive Hire Private Hire Vehicles, the plate identifying the vehicle as a Private Hire Vehicle, in accordance with section 48 of the Local Government (Miscellaneous Provisions) Act 1976, will not have to be displayed on the rear but may alternatively be fitted in a conspicuous position on the inside of the vehicle. The vehicle will also not be required to display yellow/black window stickers apart from the notice on the windscreen.
6. The correct type of tyres of both the appropriate size and the correct weight loading must be fitted.



### **Private Hire Novelty Vehicles (including fire engines) Proprietors Conditions of Licence**

1. That whenever passengers are entering or leaving the vehicle, physical assistance is provided to ensure their safety
2. Suitable signage is to be clearly displayed within the passenger cab advising passengers not to embark or disembark the vehicle without assistance from the operators/crew.
3. That the restrictions on access to disabled persons be advised to passengers at the time of booking and in any promotional literature.
4. That seatbelts be provided for all passengers.
5. That if there is a blue light and siren on the vehicle it is permanently disabled. (must comply with regulation 16 of the Road Vehicles Lighting Regulations. 1989)
6. That all external lockers on the vehicle be secured to prevent access by passengers or the public.
7. That the floor area in the passenger compartment of the vehicle be kept clear and unobstructed at all time.
8. That additional steps be carried and used on the vehicle to facilitate access to and egress from the vehicle.
9. That no person involved in operating the vehicle shall wear any clothing that might lead a member of the public to believe that the person is an officer of the fire service.
10. A full risk assessment relating to the operation of the vehicle for private hire purposes shall be forwarded to the Council prior to the issue of the licence.

## **Private Hire Pedicabs and Tuk Tuks Vehicle Proprietors Conditions of Licence**

### **1. Introduction**

Pedicabs and Tuk Tuks permitted to be licensed in Coventry are motor assisted vehicles with three wheels, used for the purpose of carrying fare paying passengers.

As with all licensed taxis these vehicles have to comply with Conditions of Fitness and are required to meet a minimum standard that must be maintained throughout the licensing period.

### **2. General Requirements**

- a. Licensed vehicles must be of a design which has the driver/rider to the front and the passengers seated to the rear.
- b. Vehicles will have a minimum of three wheels and must be fitted with an electric (maximum 250 watts) or zero emission capability engine / motor (maximum 50 cc).
- c. If pedalled the vehicle must be fitted with an electric motor to either power the vehicle unassisted or to assist with pedalling (maximum 250 watts).
- d. Vehicles licensed by this authority will operate within the inner ring road and the Railway Station only.
- e. Pedicabs and Tuk Tuks are only permitted to accept pre booked fares received through a Coventry licensed Private Hire Operator and are not permitted to utilise hackney carriage ranks.
- f. The maximum number of passengers that can be carried in each vehicle will be assessed and determined by the Taxi Licensing Office and this number must be displayed on the licence plate issued by the Council to be fixed securely to the rear of the vehicle. This plate must also display the expiry date of the licence.
- g. Vehicles must be maintained in a sound, mechanical and structural condition and comply with all relevant legislation that affects the construction and use of such vehicles to include but not restricted to:-
  - a. Motor Vehicles (Construction and Use) Regulations
  - b. Road Vehicle Lighting Regulations
  - c. The Pedal Cycle (Construction and Use) Regulations 1983 and the Pedal Cycle (Construction and Use) (Amendment) Regulations 2015.
  - d. The Pedal Cycle (Safety) Regulations 2003.
  - e. The Pedal Bicycle (Safety) Regulations 2010.
  - f. The Electrically Assisted Pedal Cycle Regulation 19863 and the Electrically Assisted Pedal Cycle (Amendment) Regulations 2015.

### **3. Vehicle Testing**

- a. All vehicles are subject to a mechanical examination prior to licensing and every 12 months thereafter. Any vehicle over 3 years old is required to undertake 6 monthly inspections.
- b. All inspections must be undertaken at Whitley depot or an alternative facility as appointed and authorised by the Council. Failure to secure a pass certificate will

prevent a licence being issued or result in suspension of a licence (if at 6 monthly inspection).

- c. Where applicable a current MOT certificate will be required to be submitted with an application for a licence and annually thereafter on renewal of a licence.

#### 4. Maintenance of Vehicle

The proprietor shall ensure that;

- a. The bodywork of the vehicle is in good condition and the paint work is clean and well maintained.
- b. Any roof covering is watertight.
- c. The condition, fixing and routing or positioning of electric cables and fitting, if any, are such that there is no risk of electrical fire or other incident.
- d. The vehicle is provided with an audible warning device such as a bell or a horn.
- e. Any door hinges, locks and handrails and any grab handles fitted to the vehicle are secure and sound, and not liable to injure any passengers, damage or soil their clothing or luggage.
- f. A suitable spare wheel and tyre is provided and readily available for use or an alternative temporary repair system is provided, together with the tools and equipment required to carry out any emergency replacement or repairs required to the vehicle.
- g. The vehicle is fitted with seatbelts to each seat. The seat belts shall be readily accessible for use by all passengers and must be maintained in a safe condition at all times.
- h. The fittings and furniture of the vehicle are clean and well maintained and in every way fit and safe for public use.
- i. Any internal linings of the vehicle are sound, clean and not liable to damage or soil passengers' clothing or luggage, and the floor is provided with a carpet, mat or other suitable, non-slip floor covering which is sound and clean.
- j. The seats are properly cushioned and covered by a water resistant material and that seat covers are in a sound and clean condition, which may be easily cleaned and dried.
- k. There shall be provided and maintained in the vehicle at all times a dry powder fire extinguisher of at least 1kg in weight and stamped EN3 or BSEN3 (which should be red in colour). The fire extinguisher must have a dial reader and be serviceable. A basic first aid kit must be carried which is CE, HSE, BSI, BS or DIN compliant.

#### 5. Insurance

The proprietor or owner of the vehicle shall present, on application for a licence a valid vehicle insurance policy covering private hire for private hire use. This policy shall include details of;

- a. The proprietor or owner as the policy holder.
- b. Cover for any other persons who drive the vehicle who shall be named on the policy and be licensed Coventry private hire drivers.

## 6. Drivers

An applicant for a driver's licence for a Pedicab or Tuk Tuk shall;

- a. Undertake all the (relevant) requirements for a Coventry licensed private hire driver as stipulated in the Driver Information Document 044 plus any additional / amended requirements specific to the licensing of Pedicabs and Tuk Tuks.
- b. Meet the DVLA Group 2 medical standards (a medical examination form from the Council must be completed by the applicants own GP).
- c. Notify the Council of any medical condition which arises after the issue of the licence which may affect their ability to perform their duties.
- d. Not be permitted to drive any other type of private hire vehicle unless the relevant application, tests and assessments are undertaken and passed and the correct licence held.

## 7. Licence Requirements

Drivers of Pedicabs and Tuk Tuks must;

- a. be over 21 years of age
- b. hold a full DVLA driving licence

## 8. Functioning Cashless Payment Facility in Vehicles

Proprietors must ensure their vehicles are equipped with a functioning cashless payment facility. These cashless facilities must be registered as a "transport" provider or similar with the payment card reader provider.

## 9. Vaping

Drivers are prohibited from vaping in Private Hire Vehicles.

## **Hackney Carriage Vehicle Proprietors Conditions of Licence**

1. A proprietor shall be engaged in a full time capacity in the business of letting for hire one or more hackney carriages.
2. A proprietor shall keep proper records in the form approved by the city council of all journeys undertaken by drivers engaged by him/her and of the hours worked by such drivers.
3. A proprietor shall provide and thereafter maintain in respect of the licence granted a hackney carriage of the metropolitan type which shall be of one colour approved by the city council.
4. A proprietor shall cause to be delivered to him and shall retain in his possession the licence of any driver engaged by him and shall ensure that such driver is in possession of the appropriate driver's badge issued by the city council.
5. A proprietor shall keep the licensed hackney carriage in a fit and road-worthy condition at all times and shall clean the same inside and outside daily.
6. A proprietor shall inform the Taxi Licensing Office of Coventry City Council of the name and address of all licensed drivers engaged by him/her and of any such driver ceasing to be so engaged within seven days of the date of appointment or termination as the case may be.
7. The licence granted shall remain in force for one year.
8. Advertisements shall not be displayed on any hackney carriage, either internally or externally, (including upon any window), without the written approval of the city council.
9. Where approval for the display of advertisements has been granted, the proprietor shall ensure the advertisement(s) are displayed in the prescribed manner and maintained in a clean and tidy condition.
10. Stickers identifying the vehicle as a licensed hackney carriage (including current plate number) and issued by the City Council shall be adhered directly to the vehicle to which they relate as follows:
  - a. One to the nearside quarterlight and one to the offside quarterlight, located towards the bottom when viewed from outside and readable from outside the vehicle.
  - b. One located at the top of the windscreen and readable from outside the vehicle.
  - c. If the information on any of the stickers is inaccurate or not clearly readable the vehicle must not be used for hire until replacement stickers have been issued by the City Council and adhered to the vehicle. The information on the stickers must not be altered or obliterated other than by the City Council. Stickers must not be located elsewhere on the vehicle without prior written approval from the City Council.
11. Proprietors must ensure their vehicles are equipped with a functioning cashless payment facility. These cashless facilities must be registered as a "transport" provider or similar with the payment card reader provider.
12. Drivers are prohibited from vaping in Hackney Carriage Vehicles.

## **Conditions attached to the grant of a Private Hire Operator's Licence**

### **1. Journey Records**

- (i) The records required to be kept by the operator under section 56(2) of the Local Government (Miscellaneous Provisions) Act 1976, shall be kept in a bound book with consecutively numbered pages, or any other approved system (e.g. but not limited to computers and other automated systems such as computers or "Apps").
- (ii) Approval to use a system other than a bound book shall be obtained from the Licensing Office, in writing and prior to installation taking place.
- (iii) The operator shall, in the record referred to above, enter or cause to be entered therein, before the start of each journey, the following particulars of every booking received:
  - (a) date on which the booking is made and, if different, the date of the proposed journey;
  - (b) time of booking;
  - (c) time job was allocated to driver;
  - (d) time of passenger pick-up (POB);
  - (e) name of hirer;
  - (f) point of pick up and destination;
  - (g) driver's unique call sign or name;
  - (h) where requested, any fare agreed or estimated for the journey;
  - (i) details of any sub-contractor used.
- (iv) All entries shall be made and maintained in a coherent and legible way using clear written English.
- (v) Paper records

All records shall be retained in their original state with any alterations made clearly identifiable.
- (vi) Computer records and automated systems

Where Data is inputted into a computer or stored within an automated system alterations or deletions are not permitted. Provisions should be in place to allow officers access to information immediately by producing a clear print out of all bookings received and / or via remote access. Where solely automated (web based) systems are used remote access must be provided to the Council for provision of all information which would otherwise be available through a manual or other system,
- (vii) Journey bookings may only be accepted from the business address stipulated on the operator's licence.
- (viii) All types of journey records shall be held and secured at the operator's business address and on their computer or automated system where used and shall be made immediately accessible at all reasonable times to an authorised council officer or police constable at that address.

### **2. Call Signs**

The operator shall allocate one call sign only to each driver operated by him/her. The call sign shall be unique to the driver.

### 3. Records

- (i) The operator shall hold and retain a copy of the current local authority licence relating to any vehicle that is being operated and of any driver who is driving such a vehicle.
- (ii) In addition to the above, records shall be kept of the particulars of all proprietors, their vehicles and of drivers being operated. These particulars shall include the following:
  - (a) vehicle registration number;
  - (b) local authority licence plate number;
  - (c) colour, make and model of each vehicle;
  - (d) name and address of proprietor;
  - (e) the date on which the vehicle became available to the operator;
  - (f) the date on which the vehicle ceased to be available;
  - (g) current and continuous certificate of insurance or cover note relating to vehicle.
- (iii) Proprietor/vehicle records
  - (a) vehicle registration number;
  - (b) local authority licence plate number;
  - (c) colour, make and model of each vehicle;
  - (d) name and address of proprietor;
  - (e) the date on which the vehicle became available to the operator;
  - (f) the date on which the vehicle ceased to be available;
  - (g) current and continuous certificate of insurance or cover note relating to vehicle.
- (iv) Driver records
  - (a) name and address of driver;
  - (b) driver's contact telephone number (if applicable);
  - (c) driver's unique call signs;
  - (d) photocopy of the driver's badge showing a true likeness.
- (v) The driver and vehicle records referred to above shall be held and secured at the operator's business address and shall be immediately available at the request of an authorised council officer or police constable at all reasonable times.

### 4. Complaints Record

- (i) The operator, on receipt of a complaint, shall document in a suitably bound book or on any other approved system the following information:
  - (a) name of driver(s) implicated in the complaint;
  - (b) badge number of driver;
  - (c) vehicle registration number;
  - (d) facts of allegation including complaints of dissatisfaction with service delivery or any alleged breach of contract with the operator;
  - (e) date complaint made;
  - (f) date investigation was completed;
  - (g) action taken;
  - (h) contact details of complainant.
- (ii) Prior to obtaining the above mentioned complaint details, the operator shall inform the complainant that on the request of an authorised council officer, or police constable, all relevant information may be made available for inspection in person and/ or on their computer or automated system where used and may be used as evidence at a later date.
- (iii) The complaint records referred to above shall be held and secured at the operator's business address and shall be immediately available at the request of an authorised council officer or police constable at all reasonable times

### 5. Storage/Accessibility of all Records

- (i) The operator shall keep all driver, vehicle, journey and complaint records for a period of not less than 12 months following the last date of entry. At the request of an authorised

officer, or police constable, these records shall be made immediately available for inspection at all reasonable times.

- (ii) The operator shall provide to the Licensing Office, on the first day of each month, a current list of all licensed vehicles and drivers operated by him or her in the format required by the Licensing Office.

## 6. Managers

- (i) Operators shall be required to inform the Licensing Office, in writing, of the name, home address and contact telephone number of a manager prior to him or her commencing duties or as soon as is practicable thereafter. This person shall be available to be contacted at all reasonable times.
- (ii) A manager shall be over the age of 18 years and be fully conversant with the conditions attached to this operator's licence.

## 7. Premises

- (i) Public waiting areas and booking rooms shall be clean, adequately heated and ventilated during the hours of business and at all times shall comply with relevant health and safety requirements.
- (ii) The operator shall ensure, where a waiting area is provided for the use of prospective passengers, that adequate seating is available.
- (iii) The operator shall only operate from that business address disclosed on his or her current operator's licence application form or as disclosed under paragraph (v) below.
- (iv) The operator shall act within the terms of any deemed or express planning permission relating to the address he or she operates from.
- (v) Any change to an operator's current operating or home address must be disclosed in writing to the Licensing Office no later than 7 days before the change takes place.
- (vi) Appropriate public liability Insurance is required for premises which are open to the public.
- (vii) Operator's premises located outside of Coventry must have their offices within a reasonable distance to ensure that officers can access records quickly and efficiently

## 8. Convictions

Within 14 days of an operator being convicted or receiving a police caution for an offence he/she shall disclose to the council in writing details of the conviction or caution imposed on him/her (or if the operator is a company or partnership, any imposed on the company or on any of the directors or partners), during the period of the licence.

## 9. Notifying the Council of Material Changes

Any material change to your business must be communicated to the Licensing Office in writing prior to the change taking place. A material change may be defined as a change in any of the particulars disclosed on your current operator's licence application form.

## 10. Standard of Service

- (i) The operator shall ensure that when a licensed vehicle has been hired to be in attendance at an appointed date, time and place the hirer shall be informed, prior to



acceptance of the booking, of any likelihood of delay in fulfilling the contractual terms.

- (ii) Where there is likely to be any delay in fulfilling a contract with a hirer the operator shall communicate to the hirer an accurate estimate of the time when a vehicle will be provided.

#### 11. Lost Property

- (i) The operator shall deal with lost property in one of three ways:
  - (a) make every effort to return lost property which is found at either the operating premises or in any vehicle used to carry out a booking accepted by him/her or;
  - (b) hand lost property to the nearest police station as soon as is practicable thereafter or;
  - (c) after completing (a) above, dispose of lost property if perishable.

#### 12. Transferring a Licence

This licence may not be transferred to another named individual, partnership or company. In the event of the death or bankruptcy of a personal licence holder or the insolvency, winding up or dissolution of a company or partnership licence holder this licence shall immediately become null and void. Any change in a named operator may only be effected by an application for a fresh operator's licence.

#### 13. Appropriate Training of Staff on their Duties & Responsibilities to the Disabled Community

Staff working for operators taking private hire bookings must undertake training in order to understand their duties to disabled persons, so that they understand the issues of communicating with disabled persons and so that they can arrange an appropriate vehicle for those with a particular requirement or need.

## **INSPECTION OF PREMISES**

An inspection will be conducted of the business premises named on your application form. This inspection will be carried out when you apply for a 'First Grant' or a 'Re-Grant' licence.

Officers will expect the premises to be clean and in good order. If members of the public are to be allowed to wait on the premises it must be in a satisfactory condition for their comfort and safety.

The 'Health and Safety Executive', a Government Department, not part of your Local Authority, has certain powers to enforce health and safety regulations and may also visit premises in order to enforce their regulations.

Public Liability Insurance is a core requirement for businesses. It protects you for your actions whilst at work. It covers any damages that a member of the public may be awarded as a result of injury or damage to them or their property caused by your business. It also covers legal fees and other expenses to do with defending any claim. It is the responsibility of the licence holder to take out insurance cover adequate for the size of the operating premises named on the private hire operating licence. It is advisable that a risk assessment is undertaken to establish what would constitute adequate cover.

### **Criteria for Private Hire Operators own stickers on doors**

If any PHO wishes to advertise their services using their own sticker they will be allowed to do this subject to a maximum width of 450mm and a maximum height of 300mm. This will be limited to a maximum of two PHOs. If one PHO's own sign this must be displayed externally on the nearside and offside rear doors (with the traditional current sign being externally displayed on the nearside and offside front doors).<sup>\*</sup> If two PHO's own sign one PHO must be displayed externally on the nearside and offside rear doors and the other PHO own sign must be displayed externally on the nearside and offside front doors.

These signs would display;

- 1) Coventry City Council's Coat of Arms
- 2) PHO's name
- 3) PHO telephone number and/or email, if required
- 4) PHO's logo Digital Distribution Service(s) logos (e.g. Google Play or the App Store), if required
- 5) "Pre-Bookings Only"

This will be in addition to Coventry City Council's normal

If there are two PHOs with their own stickers, then the current signage will be dispensed with. It should be noted that the PHV also displays external & internal smaller window stickers (with the licence plate number and registration number of the vehicle) and also displays a plate on the rear so that members of the public outside and inside can identify the vehicle. These signs will still be required, however if there is only 1 PHO advertising with their own sticker then the sign will not be advertising the PHO's Digital Distribution Service logo.

Coventry City Council does not allow magnetic signage on their vehicles.

<sup>\*</sup> The traditional sign will display:

- 1) Coventry City Council's Coat of Arms;
- 2) Vehicle Licence Plate Number (e.g. PV0001) and the vehicle registration plate number (e.g. B999WMP);
- 3) Name of the PHO and their landline telephone number;
- 4) "Pre-Bookings Only"; and
- 5) "Private Hire".

## Appendix 3



### ADVERTISING GUIDELINES FOR PRIVATE HIRE & HACKNEY CARRIAGE VEHICLES

#### FORM 110

**Data Protection:** We will use the information provided to process your request for a licence, for updating or to take enforcement action. The information is used to ensure the safety of the public and to protect public may be shared with other local authorities, the Cabinet Office, Insurance Companies and Enforcement Agencies. Information is held as part of a statutory licensing function. The information will be kept for 7 years with our retention and disposal schedule. More information on how we handle personal information and your under the data protection legislation can be found on our Privacy Notice at; [http://www.coventry.gov.uk/info/25/hackney\\_carriage\\_ie\\_taxi\\_and\\_private\\_hire\\_licensing/3222/taxi\\_licensing\\_notice](http://www.coventry.gov.uk/info/25/hackney_carriage_ie_taxi_and_private_hire_licensing/3222/taxi_licensing_notice)

#### Private Hire Vehicles

No advertising is allowed outside or inside private hire vehicles licensed in Coventry other than stickers/notices approved/required by the Taxi Licensing Office.

#### Hackney Carriage Vehicles

The following are the conditions for advertising on the outside or inside of hackney carriage vehicles licensed in Coventry.

##### 1. GENERAL

- a) Suitable advertisements may be displayed on or in hackney carriages, subject to written approval from the Taxi Licensing Office being obtained before advertisements are applied to vehicles.
- b) Advertisements must be of a form and quality that cannot become easily soiled, defaced or detached.
- c) Advertisements must be affixed directly onto the body of the hackney carriage or initially attached to an approved magnetic panel, which is then attached to the vehicle.

##### 2. EXTERIOR ADVERTISING

- a) Exterior advertising may be displayed on the bodywork of the vehicle.
- b) Where full livery advertising is proposed, or where an advertisement runs across more than one panel, provision must be made for the immediate replacement of any damaged panel(s). Hackney carriages will not be permitted to work with damaged or unmatched panels, nor will they be accepted for re-licensing in this condition.
- c) Advertising involving the fixing of a structure, board, roof or other type of fixture, which significantly alters the original shape of the vehicle, shall not be allowed.
- d) Advertising on the boot lid, which in any way obscures the hackney carriage licence plate shall not be allowed.
- e) An external advertisement containing the name and company for which

vehicle is working may be displayed on either side of the vehicle on the area along the roof edges/along the top of the doors.

### 3. INTERIOR ADVERTISING

- a) Advertisements may only be displayed within the passenger compartment on the base of the occasional (flip up) seats and along the bulkhead above the passenger/driver partition.
- b) Occasional seat advertisements must be encapsulated in clear, non-flammable plastic.
- c) No material may be placed on the driver/passenger partition other than notices approved by the Taxi Licensing Office or that set out in section d) below.
- d) A flat multimedia screen (e.g. LCD TV) will be permitted, no larger than 11"/280mm across the diagonal, on the partition screen behind and above the driver's head, facing the passenger, displaying advertising and images from CCTV installed in the vehicle. The advertising content must conform to the requirements in section 5 below and no audio/sound will be allowed. A technical assessment by a recognised organisation in vehicle safety, or certification by the equipment manufacturer/installer or the vehicle manufacturer must be supplied, covering the safety implications of the multimedia screen and accompanying equipment.

### 4. WINDOW ADVERTISING

- a) One advertisement, no larger than 450mm wide and 80mm deep, may be displayed at the top of the rear window containing the company name and telephone number supplying journey bookings.
- b) Additionally, an advertisement no larger than 1200mm wide and 200mm deep may be displayed in the rear window. The advertisement must be of an approved material (e.g. dot matrix style), visible only from outside the vehicle and must not obstruct vision.
- c) Advertising material must be maintained in a good condition at all times. Advertisements should be correctly fitted and sealed to prevent the egress of water on to the advertising materials. Any advertisement that retains water or obscures rear vision should be removed from the vehicle.

### 5. ADVERTISEMENT CONTENT

- a) All advertisements must comply with the UK's Advertising Standards Authority's Advertising Codes and it is the responsibility of the hackney carriage proprietor to make sure that they do so.
- b) Each proposal shall be considered upon its own merits but the following advertisements WILL NOT BE APPROVED:
  - i) those of a political, racial, religious, sexist or controversial nature;
  - ii) those for escort agencies, gaming establishments (with the exception of bingo halls), sex shops or massage parlours;
  - iii) those displaying nude or semi-nude human figures;
  - iv) those promoting the use of drugs or consumption of alcoholic drinks;
  - v) those promoting the use of tobacco or other smoking related products;
  - vi) those likely to offend public taste;
  - vii) those depicting men, women or children as sex objects;
  - viii) those depicting direct and immediate violence;
  - ix) those which may be regarded as promoting any racist individual, group or organisation, or any racist message or activity.

## **COMMITTEE**

### **TLO OFFICER GUIDANCE FOR REFERRAL TO THE COMMITTEE**

The Licensing and Regulatory Committee has the authority to delegate some licensing decisions directly to the officers of the Taxi Licensing Office (TLO). When officers make decisions resulting in refusal, revocation or suspension of a licence you will be notified in writing of the decision, the reason for it and any rights of appeal.

In some situations the staff of the TLO are not authorised to make a decision in connection with an application or a current licence. In these situations the application or licence will be referred to the Licensing and Regulatory Committee. As a general guide the following charts indicate if your application or licence will be referred to the Committee. However, there may be circumstances where an application for a licence or a current licence will be referred to the Committee even where the guidance below indicates otherwise.

**Convictions & Cautions** (Except driving convictions and fixed penalty endorsements - see below)

<b>Conviction/Caution/Sentence</b>	<b>Interval</b>	<b>Refer to Committee?</b>
Convicted of crime resulting in death or was intended to cause the death or serious injury of another person	Always referred	Yes
Convicted of crime involving, related to, or has any connection with abuse, exploitation, use or treatment of another individual (includes slavery, child sexual abuse, exploitation, grooming, psychological, emotional or financial abuse)	Always referred	Yes
Convicted of any offence involving or connected with illegal sexual activity or who is currently on the Sex Offenders Register or any barred list.	Always referred	Yes
Imprisonment for a term exceeding 48 months	Always referred	Yes
Offences involving violence against the person.	Less than 10 years since sentence completed	Yes
Conviction for, or related to, supply or drugs, or possession with intent to supply or connected with possess with intent to supply.	“ “	Yes

Possession of a weapon, or any other weapon offence	Less than 7 years since sentence completed	Yes
Dishonesty an element of an offence	“ “	Yes
Conviction involving or connected with discrimination in any form	“ “	Yes
Conviction for driving or driving under the influence of drugs	“ “	Yes
Conviction for possession of drugs or related to the possession of drugs	Less than 5 years since sentence completed	Yes
Using a hand-held mobile telephone or hand-held device whilst driving	“ “	Yes
Imprisonment for a term exceeding 30 months but not exceeding 48 months	Less than 7 years since sentence completed (or 42 months if aged under 18 at time of conviction)	Yes
Imprisonment for a term exceeding 6 months but not exceeding 30 months	Less than 4 years since sentence completed (or 2 years if aged under 18 at time of conviction)	
Removal from HM Service	Less than 12 months since conviction (or 6 months if aged under 18 at time of conviction)	
Imprisonment for a term not exceeding 6 months	Less than 2 years since sentence completed (or 18 months if aged under 18 at time of conviction)	Yes
Conditional Caution	Less than 3 months since caution given or terms discharged	Yes
Simple Caution	Never referred	No
Fine	Less than 1 year since conviction (or 6 months if aged under 18 at time of conviction)	Yes
Community Order		
Conditional Discharge or  Bound Over (When imposed as a sentence for an offence for which they have been convicted)	Where order still in effect	Yes

### Driving Convictions and Fixed Penalty Endorsements

Conviction/Sentence/Endorsement	Interval	Refer to Committee?
A conviction/endorsement resulting in 4 or more penalty points.	If endorsed on licence. (See 'Endorsements Information' below)	Yes
A total of 7 or more penalty points.	If endorsed on licence. (See 'Endorsements Information' below)	Yes
Offences involving Drink or Drugs.	Less than 5 years since conviction	Yes
A disqualification from driving for a single offence.	Less than 4 years since conviction	Yes
A disqualification from driving under totting-up.	Less than 4 years since conviction	Yes
A Fine without any penalty points. (e.g. non-endorsable offence)	Less than 4 years from the date of offence	Possibly

### All Convictions & Cautions

Conviction/Caution/Sentence	Interval	Refer to Committee?
Any conviction or caution that casts doubt on your suitability to hold a licence.	N/A	Yes

Where there is a history of convictions and/or cautions.	N/A	Probably
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Other Reasons	Refer to Committee?
If you have been living in the United Kingdom for less than 5 years.	Possibly
If you have made a false declaration (given incorrect information).	Yes
If you have had a number of taxi related complaints made against you.	Probably
If you have had a serious taxi related complaint made against you.	Yes

### Endorsements Information

Endorsements remain on a licence for 11 years from date of conviction if the offence is:

- drinking/drugs and driving (shown on the licence as **DR10, DR20, DR30** and **DR80**).
- causing death by careless driving whilst under the influence of drink/drugs (shown on the licence as **CD40, CD50** and **CD60**).
- causing death by careless driving, then failing to provide a specimen for analysis (shown on the licence as **CD70**).

or 4 years from date of conviction if the offence is as listed below:

- reckless/dangerous driving (shown on the licence as **DD40, DD60** and **DD80**),
- offences resulting in disqualification.
- disqualified from holding a full licence until a driving test has been passed.

or 4 years from the date of offence in all other cases.

Do not fail to declare a conviction or caution to avoid your application or licence being referred to the Committee. Unfortunately, if your application is referred to Committee, it will be delayed. The Committee can also be asked to review the licence held by a driver if a driver has been convicted for an offence, been cautioned or had complaints made against him/her. If your application or licence is referred to the Committee then you will be told in writing and the procedures will be explained to you. When an application or an existing licence holder is referred to the committee, the Committee members take the 'Relevance of Convictions' guidelines into consideration when making their decision to grant, refuse to grant, suspend, or revoke a licence.

## **GUIDANCE FOR THE COMMITTEE WHEN MAKING DECISIONS ON A SUBMITTED REPORT**

### **GUIDELINES ON THE RELEVANCE OF CONVICTIONS ETC**

The following are the guidelines adopted by the City Council on 26 January 2022, regarding the relevance of criminal convictions, cautions, fixed penalty endorsements, complaints and false declarations to becoming or remaining licensed as a Hackney Carriage or Private Hire driver in Coventry. The Licensing Committee of the City Council consider these guidelines when making their decision to grant, refuse to grant, renew, refuse to renew, suspend, or revoke a licence.

#### **General Principles**

1. Each case will be decided on its own merits.
2. The overriding consideration shall be the protection of the public and all other matters, including unemployment, shall be secondary to the public safety factor.
3. An individual with a conviction for one or more criminal offences need not be permanently barred from obtaining a licence, but should be expected to remain free of further convictions for the periods indicated in these guidelines before an application is favourably entertained. In making a decision, the licensing authority shall take into consideration the number of convictions/cautions, the nature and circumstances of each offence, the age of each conviction/caution, the age of the individual at that time and whether the individual's circumstances have since changed, any mitigating circumstances, any aggravating factors and any other relevant factors.
4. Offences which took place many years in the past may often have less relevance than recent offences. Similarly, a series of offences over a period of time is more likely to give cause for concern than an isolated minor conviction. Offences where the victim was a passenger will be regarded with particular concern.
5. The authority generally considers that offences committed by licensees should be regarded more seriously than offences committed by individuals when not licensed. This is because current licensees have previously been judged as fit and proper and are aware of the standards required of them and are expected to maintain those high standards of personal conduct.
6. Convictions/cautions are considered equally relevant to both hackney carriage and private hire drivers. Cautions are treated in a similar way to convictions since an individual must have admitted the offence in question in order to have received a caution.
7. Where the following specific guidelines indicate that the authority may suspend a licence it may do so in circumstances where, despite being satisfied as to an individual's basic suitability to be licensed, the authority still feels it has reasonable cause to strongly register its disapproval of an individual's conduct and to discourage any future repetition of such conduct.
8. These guidelines may be referred to when considering complaints against individuals, or additional information included in the DBS disclosure by the police, where the nature of that complaint or additional information is of a similar nature to the matters covered by these guidelines.



- 9 The guideline at F6 may be referred to when considering cases of false declaration where the individual has not been prosecuted.

### Specific Guidelines

- 10 The following specific guidelines afford an indication of how particular cases involving the consideration of convictions or cautions are likely to be dealt with. Where an individual has more than one conviction/caution recorded against them, the authority will consider the number and nature of convictions and may not necessarily regard the period of time that has elapsed since the last conviction as being sufficient to demonstrate the individual's fitness to be licensed. The following guidelines are not binding on the authority and it is free to depart from them where the particular circumstances of an individual case make it appropriate to do so:-

#### A Traffic Offences

Hackney Carriage and Private Hire Vehicle Drivers are professional drivers. In addition to their duty of care to other road users, they have responsibility for the safe transport of their passengers, and traffic offences should be considered carefully.

OFFENCES		COMMITTED WHILST NOT LICENSED BY COVENTRY CITY COUNCIL		COMMITTED WHILST LICENSED BY COVENTRY CITY COUNCIL		
		Period since Conviction, Caution or completion of Custodial Sentence during which the guideline will apply	Guideline for Applicant (First Grant/Re-Grant)	Period since Conviction, Caution or completion of Custodial Sentence during which the guideline will apply	Guideline for Applicant (Renewal/First Grant/Re-Grant)	Guideline for Licensee (Current licence holder)
A.1	Minor speeding offences up to 3 points. Minor motorway offences. Pedestrian crossings. Traffic direction & signs.	3 years.	Grant with verbal warning. (Normally delegated to officers)	3 years.	Grant with verbal warning. (Normally delegated to officers)	Verbal warning. (Normally delegated to officers)
A.2	Major speeding offences 4 to 6 points. Major motorway offences. Construction and Use offences. Licence offences. Leaving a vehicle in a dangerous position. Defective eyesight.	3 years.	Grant with written warning.	4 years.	Grant with written warning or grant and suspend for up to 3 months*.	Written warning or suspend for up to 3 months.
A.3	Insurance offences. Disqualified Driver offences. Aggravated taking of a vehicle.	3 years.	Grant with written warning or grant and suspend for up to 3 months*.	4 Years.	Grant with written warning or grant and suspend for up to 4 months*.	Written warning or suspend for up to 4 months.

A.4	Careless driving offence. Failing to report/stop after an accident.	3 years.	Grant with written warning or grant and suspend for up to 4 months*.	4 Years.	Grant with written warning or grant and suspend for up to 6 months*.	Written warning or suspend for up to 6 months.
A.5	Disqualification due to totting up.	2 years from end of disqualification period.	Refuse.	3 years from end of disqualification period.	Refuse.	Revoke.
A.6	Reckless/Dangerous Driving offences.	3 years.	Refuse.	4 Years.	Refuse.	Revoke.
A.7	Using a handheld mobile telephone or handheld device when driving.	5 years.	Refuse.	5 years.	Refuse.	Revoke.
A.8	Drink or Drugs driving offences.	7 years.	Refuse. **	7 years.	Refuse. **	Revoke. **

\* Subject to any right of appeal, a period of suspension shall run from the date of the Licensing Committee hearing or the date by which all application requirements have been met, whichever is the later.

\*\* Any applicant may also have to undergo drugs testing, at their own expense, to demonstrate that they are not using controlled drugs.

## B Drug Offences

Drug related offences should be carefully considered as Hackney Carriage and Private Hire Vehicle Drivers are professional drivers and are expected to be fully in control of themselves and their vehicles whilst working or they may have close contact with vulnerable members of the public, e.g. children, young adults and addicts.

OFFENCES		COMMITTED WHILST NOT LICENSED BY COVENTRY CITY COUNCIL		COMMITTED WHILST LICENSED BY COVENTRY CITY COUNCIL		
		Period since Conviction, Caution or completion of Custodial Sentence during which the guideline will apply	Guideline for Applicant (First Grant/Re-Grant)	Period since Conviction, Caution or completion of Custodial Sentence during which the guideline will apply	Guideline for Applicant (Renewal/First Grant/Re-Grant)	Guideline for Licensee (Current licence holder)
B.1	Drug conviction/caution for possession of drugs or related to the possession of drugs	5 years.	Refuse. *	5 years.	Refuse. *	Revoke. *
B.2	Drug conviction/caution for the supply of drugs, or possession with intent to supply or connected with possession with intent to supply.	10 years.	Refuse. *	10 years.	Refuse. *	Revoke. *

- \* Any applicant may also have to undergo drugs testing, at their own expense, to demonstrate that they are not using controlled drugs.

## C Sexual Offences

As Hackney Carriage and Private Hire Vehicle Drivers often carry unaccompanied or vulnerable passengers, applicants with convictions/cautions for sexual offences should be refused a licence until they can show a substantial period free of such conviction/caution. Licensees should have their licence revoked and not be re-granted a licence until a similar substantial period has elapsed.

OFFENCES		COMMITTED WHILST NOT LICENSED BY COVENTRY CITY COUNCIL		COMMITTED WHILST LICENSED		
		Period since Conviction, Caution or completion of Custodial Sentence during which the guideline will apply	Guideline for Applicant (First Grant/Re-Grant)	Period since Conviction, Caution or completion of Custodial Sentence during which the guideline will apply	Guideline for Applicant (Renewal/First Grant/Re-Grant)	Guideline for Licensee (Current licence holder)
C.1	Any sexual offence or currently on the Sex Offenders Register or any barred list.	No time limit.	Refuse.	No time limit.	Refuse.	Revoke.

## D Violence Offences

As Hackney Carriage and Private Hire Vehicle Drivers have close contact with the public, applicants with convictions/cautions for violence offences should be refused a licence until they can show a substantial period free of such behaviour. Licensees should have their licence revoked and not be re-granted a licence until a similar substantial period has elapsed.

OFFENCES		COMMITTED WHILST NOT LICENSED BY COVENTRY CITY COUNCIL		COMMITTED WHILST LICENSED BY COVENTRY CITY COUNCIL		
		Period since Conviction, Caution or completion of Custodial Sentence during which the guideline will apply	Guideline for Applicant (First Grant/Re-Grant)	Period since Conviction, Caution or completion of Custodial Sentence during which the guideline will apply	Guideline for Applicant (Renewal/First Grant/Re-Grant)	Guideline for Licensee (Current licence holder)
D.1	Assault/Battery.	3 years.	Grant and suspend for up to 4 months* or Refuse.	4 years.	Grant and suspend for up to 6 months* or Refuse.	Suspend for up to 6 months or Revoke.
D.2	Grievous bodily harm.	4 years.	Refuse.	5 years.	Refuse.	Revoke.
D.3	Wounding.	5 years.	Refuse.	6 years.	Refuse.	Revoke.
D.4	Threats to kill.	7 years.	Refuse.	8 years.	Refuse.	Revoke.
D.5	Manslaughter/Murder.	10 years	Refuse.	15 years	Refuse.	Revoke.

- \* Subject to any right of appeal, a period of suspension shall run from the date of the Licensing Committee hearing or the date by which all application requirements have been met, whichever is the later.

## E Dishonesty Offences

Hackney Carriage and Private Hire Drivers are expected to be persons of trust. The widespread practice of delivering unaccompanied property is indicative of the trust that business people place in drivers. Moreover, it is comparatively easy for a driver to defraud the public by demanding more than the legal fare etc. Overseas visitors can be confused by the change in currency and be considered “fair game” for an unscrupulous driver. For these reasons, a serious view should be taken of any conviction involving dishonesty.

<b>OFFENCES</b> E.g. Theft, Burglary, Handling, Fraud, Forgery, Deception, Making a false statement, Using a conveyance without authority, etc.		<b>COMMITTED WHILST NOT LICENSED BY COVENTRY CITY COUNCIL</b>		<b>COMMITTED WHILST LICENSED BY COVENTRY CITY COUNCIL</b>		
		<b>Period since Conviction, Caution or completion of Custodial Sentence during which the guideline will apply</b>	<b>Guideline for Applicant</b> (First Grant/Re-Grant)	<b>Period since Conviction, Caution or completion of Custodial Sentence during which the guideline will apply</b>	<b>Guideline for Applicant</b> (Renewal/First Grant/Re-Grant)	<b>Guideline for Licensee</b> (Current licence holder)
E.1	Any dishonesty offence or where dishonesty is an element of the offence.	7 years.	Refuse.	7 years.	Refuse.	Revoke.

- \* Subject to any right of appeal, a period of suspension shall run from the date of the Licensing Committee hearing or the date by which all application requirements have been met, whichever is the later.

## F Hackney Carriage/Private Hire Offences

Hackney Carriage and Private Hire Drivers are expected to operate within the laws governing their trade and comply with the requirements and policies of Coventry City Council.

<b>OFFENCES</b> Covered by the:- Local Government (Miscellaneous Provisions) Act 1976. Town Police Clauses Act 1847 Any relevant Coventry Local Byelaws.		<b>COMMITTED WHILST NOT LICENSED BY COVENTRY CITY COUNCIL</b>		<b>COMMITTED WHILST LICENSED BY COVENTRY CITY COUNCIL</b>		
		<b>Period since Conviction, Caution or completion of Custodial Sentence during which the guideline will apply</b>	<b>Guideline for Applicant</b> (First Grant/Re-Grant)	<b>Period since Conviction, Caution or completion of Custodial Sentence during which the guideline will apply</b>	<b>Guideline for Applicant</b> (Renewal/First Grant/Re-Grant)	<b>Guideline for Licensee</b> (Current licence holder)
F.1	Any other contravention not mentioned below.	3 years.	Grant with written warning or grant and suspend for up to 3 months*.	3 years.	Grant with written warning or grant and suspend for up to 3 months*.	Written warning or suspend for up to 3 months.
F.2	Plying for hire when	N/A.	N/A.	3 years.	Grant with	Written

	licensed as a Coventry private hire driver.				written warning or grant and suspend for up to 3 months*.	warning or suspend for up to 3 months.
F.3	Not wearing ID.	3 years.	Grant with written warning or grant and suspend for up to 6 months*.	3 years.	Grant with written warning or grant and suspend for up to 6 months*.	Written warning or suspend for up to 6 months.
F.4	Plying for hire whilst licensed in another district.	3 years.	Refuse.	N/A.	N/A.	N/A.
F.5	Obstructing an officer.	3 Years.	Refuse.	3 years.	Refuse.	Revoke.
F.6	False Declaration.	3 Years.	Grant and suspend for up to 6 months* or Refuse.	3 years.	Grant and suspend for up to 6 months* or Refuse.	Suspend for up to 6 months or Revoke.
F.7	Driving without any private hire or hackney carriage driver's licence.	5 Years.	Refuse.	N/A.	N/A.	N/A.
F.8	Wheelchair not secured safely/correctly and/or loading procedures not carried out safely/correctly	N/A	N/A	2 years.	Grant and suspend for up to 6 months* or Refuse.	Suspend for up to 6 months or Revoke.
F.9	Refusal to take card payments	N/A	N/A	2 years.	Grant and suspend for up to 6 months* or Refuse.	Suspend for up to 6 months or Revoke.

\* Subject to any right of appeal, a period of suspension shall run from the date of the Licensing Committee hearing or the date by which all application requirements have been met, whichever is the later.

## G Other Offences

This section includes offences which do not easily fit within one of the above categories but are considered relevant to the suitability of an individual to hold a Hackney Carriage and/or Private Hire Drivers licence.

OFFENCES		COMMITTED WHILST NOT LICENSED BY COVENTRY CITY COUNCIL		COMMITTED WHILST LICENSED BY COVENTRY CITY COUNCIL		
		Period since Conviction, Caution or completion of Custodial Sentence during which the guideline will apply	Guideline for Applicant (First Grant/Re-Grant)	Period since Conviction, Caution or completion of Custodial Sentence during which the guideline will apply	Guideline for Applicant (Renewal/First Grant/Re-Grant)	Guideline for Licensee (Current licence holder)
G.1	Perverting the course of justice.	4 years.	Refuse.	5 years.	Refuse.	Revoke.
G.2	Arson.	4 years.	Refuse.	5 years.	Refuse.	Revoke.
G.3	Possession of a weapon or any other weapon offence.	7 years	Refuse.	7 years	Refuse.	Revoke.
G.4	Public order offences including Riot, Violent Disorder, Affray, Harassment, Threatening abusive insulting words or behaviour etc, Drunk and Disorderly, Breach of the Peace, Obstruct police.	3 years.	Grant and suspend for up to 3 months* or Refuse.	4 years.	Grant and suspend for up to 6 months* or Refuse.	Suspend for up to 6 months or Revoke.
G.5	Criminal damage.	2 years.	Grant and suspend for up to 2 months*.	3 years.	Grant and suspend for up to 4 months*.	Suspend for up to 4 months.
G.6	Refusal to take an Assistance Dog.	4 years.	Grant and suspend for up to 6 months* or Refuse.	3 years.	Grant and suspend for up to 6 months* or Refuse.	Suspend for up to 6 months or Revoke.
G.7	Refusal to take passenger.	4 years.	Grant and suspend for up to 6 months* or Refuse.	3 years.	Grant and suspend for up to 6 months* or Refuse.	Suspend for up to 6 months or Revoke.
G.8	Crimes resulting in Death of another person or serious injury.	No time limit.	Refuse.	No time limit.	Refuse.	Revoke.
G.9	Exploitation or any connection with abuse, exploitation, use of treatment of another individual irrespective of whether victim(s) were	No time limit.	Refuse.	No time limit.	Refuse.	Revoke.

	adults or children. This includes slavery, child sexual abuse, exploitation, grooming, psychological, emotional or financial abuse etc.					
G.10	Discrimination in any form.	7 years.	Refuse.	7 years.	Refuse.	Revoke.

- \* Subject to any right of appeal, a period of suspension shall run from the date of the Licensing Committee hearing or the date by which all application requirements have been met, whichever is the later.





If you need this information in another format please contact:

**Telephone: 024 7683 2183**

**e-mail:**

**[taxi.licensing@coventry.gov.uk](mailto:taxi.licensing@coventry.gov.uk)**

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