Coventry City Council

Public report

Cabinet Member Report

Cabinet Member for City Services	23 July 2025
Licensing and Regulatory Committee	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.

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 14th 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, inlcuding 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 1st January 2030 as the date from which new vehicle licence applications will no longer be accepted for vehicles emitting 75g CO2/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 CO2/km), produce zero emissions or be zero emission capable by 1st 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

2.2.1The 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 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 1st 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 Councils 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

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