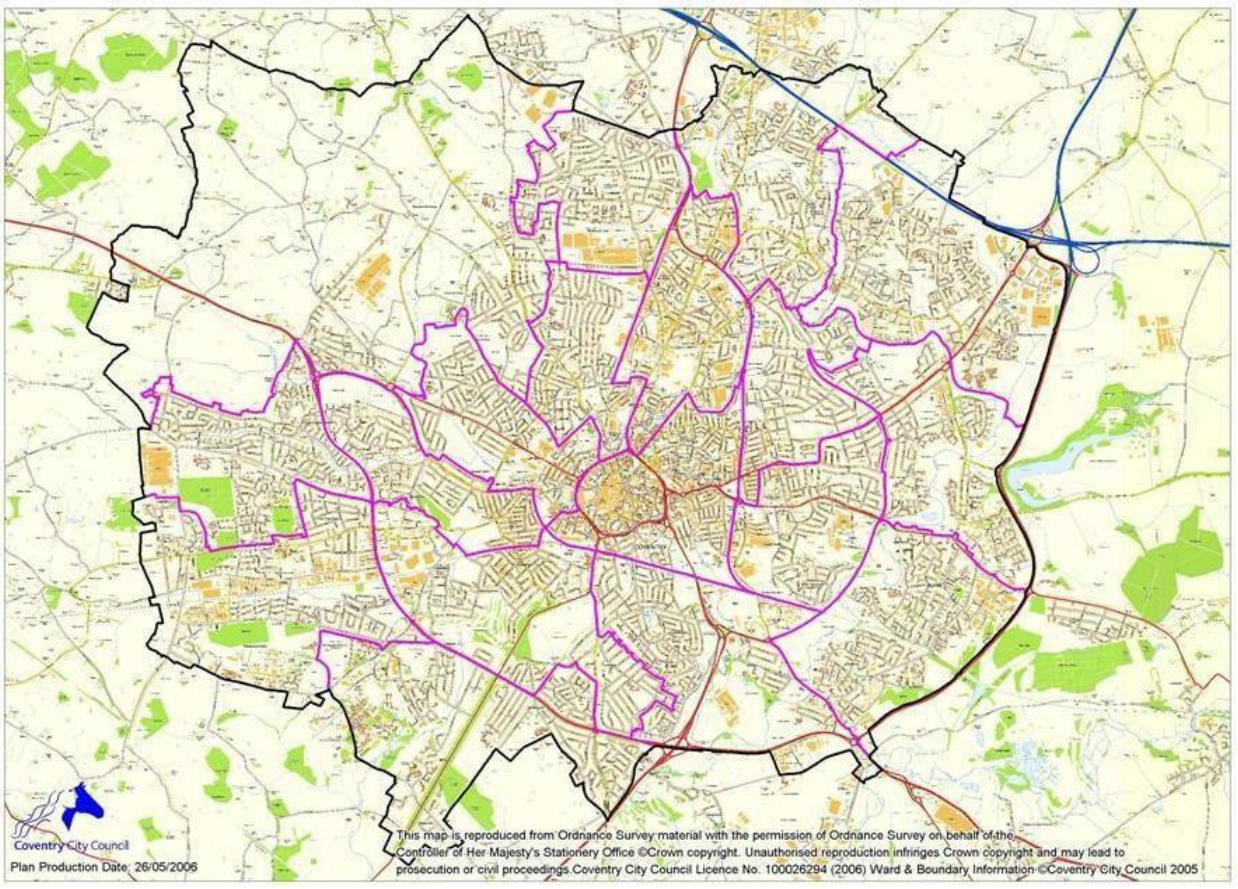
Statement of Licensing Policy (Taxis and Private Hire) ~~2022- 2027~~ 2026 - 2031

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)

- 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 polices 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 ~~14th September 2022~~ 1st 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). 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

activites 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

LTI	TX1 TX2 TX4
Mercedes	Vito
Nissan	Dynamos Primastar Voyager
Peugeot	Boxer 290 E7 E7 SE
Volkswagen	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 andminimum 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 it 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

~~5.7.1~~ 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 1st 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

~~5.10.1~~ 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 enforce 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 forrenewals 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

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

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

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

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

safeguardingchildrenlicensing@coventry.gov.uk

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

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 aggress 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:

(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).* 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.

* 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

Coventry City Council

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 pub 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 ye with our retention and disposal schedule. More information on how we handle personal information and yo 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_licensir 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 the

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.

Appendix 4

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)

Conviction/Caution/Sentence	**Interval**	**Refer to Committee?**
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. Conviction for, or related to, supply or drugs, or possession with intent to supply or connected with possess with intent to supply.	Less than 10 years since sentence completed “ “	Yes Yes

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

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.

OFFENCES E.g. Theft, Burglary, Handling, Fraud, Forgery, Deception, Making a false statement, Using a conveyance without authority, etc.		**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)**
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.

OFFENCES Covered by the:- Local Government (Miscellaneous Provisions) Act 1976. Town Police Clauses Act 1847 Any relevant Coventry Local Byelaws.		**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)**
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:

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Coventry City Council