



**HACKNEY CARRIAGE/
PRIVATE HIRE DRIVER,
VEHICLE & OPERATOR
LICENSING POLICY**

INCLUDING LICENCE CONDITIONS

1 June 2024

1.	Introduction	Page 5
1.2	National Standards and Driver Suitability Guidance to Licensing Authorities	Page 5
1.11	The Policy Consultation Process	Page 6
1.12	Policy Objectives	Page 7
1.13	Relationship to the Council's Corporate Priorities	Page 7
1.14	Future Changes	Page 8
1.16	Information Sharing	Page 8
1.17	Data Protection	Page 8
1.18	Equality and Diversity	Page 8
1.19	Crime and Disorder Act 1988	Page 9
2.	General Driver Information, Expectations and Policy Requirements	Page 9
2.17	Requirement for Drivers to Notify the Council's Licensing Unit	Page 11
2.25	Driver Training	Page 12
2.29	Disclosure & Barring Service (DBS) Enhance Disclosure Update Service	Page 12
2.31	DVLA Driving Licences	Page 13
2.37	Assessment by the Council's Medical Advisor	Page 14
2.42	Whilst Driving a Licensed Private Hire Vehicle	Page 14
2.46	Whilst Driving a Licensed Hackney Carriage Hire Vehicle	Page 14
3.	New Applicants for Hackney Carriage/Private Hire Drivers' Licences	Page 15
3.8	Disclosure & Barring Service (DBS) Enhanced Disclosure	Page 16
3.11	Assessment of Fitness and Propriety	Page 16
3.17	Knowledge Test	Page 17
3.19	Assessment by the Council's Medical Advisor	Page 17
4.	General Vehicle Information Expectations and Policy Requirements	Page 18
4.18	Wheelchair Accessible Vehicles (WAV's) and Rear Loading Vehicles	Page 19
4.21	CCTV in Licensed Vehicles	Page 19
4.27	Transfer of Licensed Vehicles	Page 20

4.28	Licensing of Category S and N Written off Vehicles	Page 20
4.29	Requirements for Proprietors to Notify the Council's Licensing Unit	Page 20
5.	Hackney Carriage Proprietor Vehicle Licences	Page 21
5.4	Fitness and Propriety of Hackney Carriage Proprietors	Page 21
5.7	Advertising, Logos and Livery on Hackney Carriage Vehicles	Page 22
5.11	Hackney Carriage Fares	Page 22
6.	Private Hire Vehicle Licences.	Page 23
6.10	Novelty Vehicles	Page 23
7.	Private Hire Operators' Licences.	Page 23
	Licence Conditions and Annexes	Page 25
1.	Hackney Carriage/Private Hire Driver Licence Conditions	Page 25
2.	Hackney Carriage Proprietors' Licence Conditions	Page 27
3.	Private Hire Vehicle Licence Conditions	Page 30
4.	Private Hire Operators' Licence Conditions	Page 32
A.	Guidance on Determining the Suitability of Applicants and Licensees in Hackney Carriage and Private Hire Trades	Page 34
B.	Spent Convictions	Page 39
C.	Minor Traffic Offences	Page 43
D.	Major Traffic Offences	Page 44
E.	Matrix of Penalties for Offences Committed Within Three Rolling Licence Years.	Page 45
F.	Vehicle Emissions and Carbon Neutrality	Page 47
G.	Dress Code	Page 48
H.	Rules of the Rank and Guidance for Drivers on the use of the Ranks	Page 49
I.	Fares for Hackney Carriage Journeys	Page 50
J.	Idling Vehicles Contribute to Air Pollution	Page 51
K.	Guidance on Passenger's Safety In Licensed Vehicles	Page 52
L.	How to compliment, comment or complain about a Licensed Driver or Vehicle	Page 54
M.	Fair Processing Notice	Page 55

POLICY AMENDMENT RECORD

Amendment No.	Date of Amendment	Revision
1	8 July 2014	Amendment to the wording in paragraph 1 on page 15 which relates to the Equality Act 2010.
2	7 July 2016	Revision of policy including the addition, amendment and removal of conditions.
3	April 2021	Revision and updating of the Policy to include the introduction of DfT National Standards, the Institute of Licensing Policy on the Suitability of Applicants and Licencees in the Hackney and Private Hire Trades and the National Register of Taxi Licence Revocations & Refusals (NR3). The revision also included the addition, amendment and removal of some conditions and policy requirements.
4	21 April 2021	Adopted by Full Council with agreed implementation date of June 2021
5	8 November 2023	Revision and updating of the Policy to include clarification of a number of matters considered necessary for continued improvement; the introduction of new NR3 requirements, and Council objectives regarding vehicle emissions and carbon neutrality
6	1 June 2024	Minor amendments following changes to the legislation at Annex B and clarification of Paragraph 4.1 after an unintended omission in the November 2023 update of the Policy. The June 2024 amendments have been agreed by the Head of Regulatory Services under delegated powers.

1.	Introduction
1.1	<p>In carrying out its taxi and private hire licensing function, Cannock Chase District Council (The Council) will have regard to the Statutory Taxi & Private Hire Vehicle Standards as required by the Policing and Crime Act 2017 and in doing so it will seek to promote the following objectives:</p> <ul style="list-style-type: none"> • Safety and health of drivers and the public • High standards of vehicle safety comfort and access • Prevention of crime and disorder and the protection of consumers • Environmental sustainability through improved air quality • Equality and accessibility in service provision • Promotion of good behaviour and professional conduct
National Standards and Driver Suitability Guidance to Licensing Authorities	
1.2	<p>The Local Government (Miscellaneous Provisions) Act 1976, as amended, (“the 1976 Act”) places a duty on the Licensing Authority to carry out its licensing functions in respect of Hackney Carriages and Private Hire vehicles.</p> <p>This policy applies to:</p> <ul style="list-style-type: none"> • Hackney Carriages; being public transport vehicles which are licensed to ply for hire. This means that it may stand at ranks or be hailed in the street by members of the public within the Cannock Chase District. • Private Hire Vehicles: licensed as a vehicle to carry no more than 8 passengers but must be booked in advance by customers through an operator and may not ply for hire in the street. • Private Hire Operators • Hackney Carriage & Private Hire Drivers <p>The Statutory Taxi & Private Hire Vehicle Standards, issued by the Department for Transport (DfT) in July 2020, assert that taxis and private hire vehicles are a high risk environment and that minimum standards are required to regulate the taxi and private hire sector. Cannock Chase Council will have regard to these national Standards within its revised Hackney Carriage/Private Hire Driver, Vehicle & Operator Licensing Policy.</p> <p>Although the said standards focus on protecting children and vulnerable adults, all passengers will benefit from the recommendations contained within the DfT document and the DfT expects the recommendation contained within the Statutory Taxi & private Hire Vehicle Standards document to be implemented unless there is a compelling local reason not to.</p> <p>This policy must be read in conjunction with the Department for Transport (“DfT”) Statutory Taxi & Private Hire Vehicle Standards and the Institute of Licensing (“IoL”) Guidance on determining the suitability of applicants and licensees in the hackney and private hire trades.</p> <p>A link to the Statutory Taxi & private Hire Vehicle Standards, can be found here: https://www.gov.uk/government/publications/statutory-taxi-and-private-hire-vehicle-standards</p> <p>The Council will also have regard to the Best Practice Guidance which is issued from time to time by the DfT: https://www.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-best-practice-guidance</p>

	<p>A link to the IoL Guidance can be found here:</p> <p>https://www.instituteoflicensing.org/news/institute-of-licensing-s-guidance-on-determining-suitability-of-applicants-and-licensees-in-the-hackney-and-private-hire-trades/</p>
1.3	As this document forms part of a driver's licence conditions, the Council expects all new applicants and existing drivers, proprietors and operators to be aware of, and demonstrate commitment to, promoting these objectives and to recognise that the protection of the public is the paramount consideration of the Council in terms of taxi licensing.
1.4	To this end, the Council expects those who control the use of licensed vehicles to keep comprehensive written records of day to day fares and bookings, e.g., date, time, pick up and drop off locations, fare etc. so as to ensure that sufficient information can be retrieved from the said records in order to assist any authorised officer of the Council or police constable in any investigation they may need to undertake. Private hire operators have specific requirements in these regards.
1.5	<p>The Council expects the highest standards of conduct from all its licensed Hackney Carriage/Private Hire Drivers. In particular, new applicants and existing drivers should be aware that their behaviour at any time may form part of a decision as to their fitness and propriety to become or remain a licensed driver.</p> <p>Information on the fitness and propriety of licensed drivers can be found in the guidance for new applicants' section of this document.</p>
1.6	All drivers of Cannock Chase Council licensed hackney carriages and private hire vehicles ('Drivers') must hold a Hackney Carriage/Private Hire Drivers' Licence issued by Cannock Chase Council.
1.7	Private hire operators must be licensed by the Council as must the driver and the private hire vehicle. The Operator must have a Base within the Cannock Chase District and must be responsible for taking the bookings. All three licences must be issued by the same Council.
1.8	Hackney carriages (Taxis) must be licensed with the Council as must the driver. Both licences must be with the same Council.
1.9	The Council has a duty to protect the public funds it administers and, to this end, may use information provided for the prevention and detection of crime and fraud. We may also share information with other bodies responsible for auditing or administering public funds for these purposes, e.g., UK National Fraud Initiative.
1.10	Before sitting as a member of the Council's Licensing & Public Protection Committee (L&PPC), Council members will need to attend a training session with officers from Legal Services and the Licensing Unit. Members will need to attend refresher training every year that they remain a member of the L&PPC.
	The Policy Consultation Process
1.11	<p>The Council consulted widely with a variety of partners and interested parties as well as the general public. This included consultation with representatives of the Cannock Chase Council's Hackney Carriage/Private Hire Liaison Group. The consultation took place between 16 June 2022 and 10 July 2022.</p> <p>The Policy was adopted by full Council, on 8 November 2023 and is available on the Council's website at: www.cannockchasedc.gov.uk</p> <p>The June 2024 amendments were approved by the Head of Regulatory Services under delegated powers.</p>

	<p>The contact details for the Council’s Licensing Unit are given below:</p> <p>Licensing Unit, Cannock Chase District Council, PO Box 28, Beecroft Road, Cannock, Staffordshire, WS11 1BG Phone: 01543 462621 Email: licensingunit@cannockchasedc.gov.uk</p>
	<p>Policy Objectives</p>
<p>1.12</p>	<p>The Council’s Policy objectives are:-</p> <p>Public Protection – ensuring that the public can travel safely and that licensed drivers, vehicle licence holders and operators are “fit and proper” persons, and that vehicles are safe.</p> <p>Improving Quality – ensuring that drivers are good, reputable drivers with up to date knowledge and training in relation to licensing matters.</p> <p>Promoting High Vehicle Standards – Ensuring that vehicles are clean and in good condition, comfortable and accessible for all passengers. Ensuring, that vehicles over six years old are subject to regular checks to ensure safety and compliance with emissions standards.</p> <p>Improving Access for All – Encouraging a good level of service for the public and supporting vital transport links for the community, enabling visitors to move quickly and safely through the Cannock Chase District.</p> <p>Improving Public Confidence – Ensuring that the travelling public feel safe through effective compliance and enforcement as well as regular test purchase exercises in respect of hackney carriage and private hire vehicles.</p> <p>Supporting the Safety and Success of the Night Time Economy – ensuring the public can return home safely, helping crowds to disperse quickly and peacefully after events, or during busy times.</p> <p>Improving Air Quality- Ensuring that vehicles which are new to licensing with the Council meet a minimum of Euro 6 Emission Standard.</p>
	<p>Relationship to the Council’s Corporate Priorities</p>
<p>1.13</p>	<p>This Policy supports the Council’s Corporate Priorities as follows:-</p> <p>(i) Promoting Prosperity – benefitting the local economy through provision of essential local transport within the District, supporting in particular the night time economy; implementing risk-based, proportionate controls; ensuring all licence holders are treated equitably; ensuring non-compliance does not lead to unfair competitive advantage;</p>

	(ii) Community Wellbeing – Promoting equality of access to services and protecting public safety, particularly those who are, or could become, vulnerable; ensuring licensed drivers are fit and proper and licensed vehicles are safe and suitable through mechanical testing and checks on driving, medical and criminal records; ensuring licence holders receive awareness training covering their obligations and contributions towards reporting modern slavery and child sexual exploitation matters; promoting improved air quality through compliance with vehicle emission standards.
	Future Changes
1.14	The Council will monitor the effectiveness of the policy in terms of promoting public safety and public confidence. The Council will also have to consider the Policy in light of any further developments in the law and changes in government policy and guidance. The Council will review this Policy as appropriate.
1.15	We will review this policy at least every 5 years and will consider an interim review should it be necessary to do so because of a change in legislation or guidance or as a result of other developments which affect the local area. The Council will consult with stakeholders at any time that it is considering substantial changes to this Policy.
	Information Sharing
1.16	<p>The Council shares information with partner organisations including Staffordshire Police, Environmental Health, Department of the Environment, Food & Rural Affairs (DEFRA), The National Anti-Fraud Network (NAFN) the County Council, DVSA and the National Fraud Initiative (NFI) in the interests of crime prevention and enforcement.</p> <p>Council officers may contact these organisations in order to ensure effective regulation of the hackney carriage and private hire licenced trade. The Police have powers to disclose information about relevant investigations even before an arrest or conviction is made.</p>
	Data Protection
1.17	<p>When an individual or an organisation provides information to the Council, this data is held in accordance with the General Data Protection Regulations 2018. Data that is provided to the Council is used for processing applications, recording details of successful applicants, and for enforcement and crime prevention purposes.</p> <p>The Council may share data with other services and with partners of the Council where required by licensing procedures and for enforcement and crime prevention purposes but data will not otherwise be passed on to any other party.</p> <p>While certain information may be disclosed under the Freedom of Information Act, personal data will be protected unless it is also official business data (e.g. a licensee whose registered business address is also his home).</p> <p>The Council’s Fair Processing Notice is attached as an annex to this policy.</p>
	Equality and Diversity
1.18	<p>Through the Council's policies and service delivery the Council's main aims for equality and diversity are to:</p> <ul style="list-style-type: none"> - Eliminate unlawful discrimination - Promote equality of opportunity - Promote good relations between diverse communities. <p>A link to the Council’s Equalities and Diversities Policy can be found here : https://www.cannockchasedc.gov.uk/council/about-council/equality-and-diversity</p> <p>The Council carried out an Impact Assessment of this Policy, which assessed how it affects people with protected characteristics and other equality groups.</p>

	Crime and Disorder Act 1988
1.19	<p>Under section 17 of the Crime and Disorder Act 1998 the Council is required to promote the prevention of crime and disorder within its area. This Policy will contribute to that objective.</p> <p>The Council will ensure that all licensed vehicles have the contact number of the Council's Licensing Unit clearly displayed on the rear of the front licence plate which is located at the bottom of the front nearside of the windscreen.</p> <p>The Council will also ensure that travelling passengers and the public in general have a clear mechanism for compliments, comments or complaints about drivers and vehicles to the Licensing Unit. This can be done by contacting the Licensing Unit or by visiting the Council's website.</p>

2.	General Driver Information, Expectations and Policy Requirements
2.1	<p>The statutory and practical criteria and qualifications for a private hire driver are broadly similar to those for a hackney carriage driver. The policy requirements regarding driver's licences therefore apply equally to both groups.</p> <p>Cannock Chase District Council issues dual drivers' licences, permitting the driver to drive either a Hackney Carriage or a Private Hire Vehicle.</p> <p>In order to assess the suitability of an applicant, the Licensing Authority will undertake whatever checks and apply whatever processes it considers necessary to ensure that licences are not issued to, or used by, unsafe or unsuitable people who are not fit and proper. Licence holders must ensure that they remain 'fit and proper' at all times to ensure that they retain their licence.</p>
2.2	<p>In considering an individual's criminal record, the licensing authority will consider each case on its merits, but will take a particularly cautious view of any offences against individuals with special needs, children and other vulnerable groups, particularly those involving violence, those of a sexual nature and those linked to organised crime.</p>
2.3	<p>The Council will normally provide drivers with three year dual hackney carriage/private hire drivers' licences. A licence may be issued for a shorter period upon driver request or at the discretion of the licensing authority dependent upon the circumstances of the case.</p> <p>Reimbursement may be offered following the surrender of a hackney carriage/private hire drivers' licence prior to the licence expiring but will not normally be offered where the said licence is revoked by the Council.</p>
2.4	<p>Drivers are expected to renew their licences in good time and will be reminded to do so by the Licensing Unit. Failure to renew licences in good time without reasonable excuse will result in the expiry of the existing licence and will require a new application to be made. No application will be prioritised because it is late.</p>
2.5	<p>Licensed drivers must be contactable at all reasonable times and the Council expects that all contact details provided, such as telephone number, home addresses and email addresses are correct and up to date. Where drivers cannot be contacted after reasonable attempts have been made by the Licensing Unit, drivers may have formal action taken against them and their Hackney Carriage/Private Hire Drivers Licence may be suspended or revoked.</p>
2.6	<p>When submitting an application for a Hackney Carriage/Private Hire Drivers Licence, applicants may be required to provide a Statutory Declaration of their conviction and cautions. Simple and conditional cautions must be declared and shall be treated as convictions for the purposes of these applications.</p>

2.7	The Council will not grant a licence application unless satisfied that driver is a “fit and proper person”. The Council will use the National Anti-Fraud Network (NAFN) register of refusals and revocations (NR3) to record those who have had their application for a hackney carriage/private hire drivers licence refused or their licence revoked. Further, any driver who’s licence has been suspended for public safety or road safety reasons, will also have their details recorded on the NR3 register. The Licensing Unit will record the reasons for any said refusal, revocation or suspension of a hackney carriage/private hire drivers licence, and upon appropriate request, we will provide those details to other licensing authorities on a confidential and data protected basis.
2.8	Where a driver has been living or working outside the UK for more than 3 months at a time that driver may be asked to provide the Licensing Unit with a Certificate of Good Conduct. Government guidance on obtaining a Certificate of Good Conduct from any overseas country can be found at: https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants A full written explanation must be provided to the Licensing Unit if no such certificate can be obtained.
2.9	Drivers are required to respond to and co-operate with all reasonable requests made by authorised officers from other areas. For avoidance of doubt, drivers should, to any licensing officer, make their badges plainly visible and provide information regarding their reason for being present upon request in order that the officer may, for example, rule out unlawful plying for hire.
2.10	Where appropriate, council licensing officers may act upon evidence which is provided to them by the police, Staffordshire County Council and other licensing authorities where reasonable expectations of drivers or vehicles have not been met or licence conditions have been compromised.
2.11	Hackney carriage/private hire drivers have a duty of care towards the passenger they convey within their licensed vehicles. The Licensing Authority considers that the number of hours worked by drivers can impact the public safety and as a result we seek to promote the Working Time Directive in respect of the reasonable hours in which drivers are expected to work. To that end, no hackney carriage/private hire driver should cause themselves to be unfit for work due to tiredness caused by working excessive hours.
2.12	Licensed drivers are expected to carry out their duties with propriety and not engage with passengers in an inappropriate manner which may give them due cause to feel ill at ease or even threatened. Drivers should act in a business-like manner and avoid asking intrusive questions. Personal contact details should not be exchanged without the express agreement of the passenger.
2.13	Drivers must turn off their engines whilst stationary. This is in order to reduce any potential pollution as well as saving money on fuel costs. Vehicle idling is an offence against the Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002.
2.14	The Council will require all applicants and existing drivers to provide documentary evidence to confirm that they may legally work in the UK. Examples of documents that may be used will be provided by the Council’s Licensing Unit on request.
2.15	The driver shall carry out a regular check of the vehicle before starting work. This will ensure the vehicle is roadworthy and that, as far as reasonably practicable, all lights and indicators are working correctly and tyres are in good order. Recommended oil and water levels must also be maintained and the licence plate must be properly positioned.
2.16	Private hire and hackney carriage drivers are professional drivers and must be aware of the safety of their passengers and the safety of their vehicles at all times. Any traffic offences show a lack of responsibility whilst driving either due to the maintenance and safety of their vehicles or in the manner of their driving. As licence holders, the Council expects the highest standards and existing drivers can expect any misconduct to be fully investigated and appropriate action taken in line with this breach of trust.

	Requirement for Drivers to Notify the Council's Licensing Unit
2.17	<p>All licence holders must inform the Council as soon as possible and in any event within 48 hours, if they have been questioned, cautioned, interviewed, arrested or charged in connection with:</p> <ul style="list-style-type: none"> • touching a child or young person unnecessarily or inappropriately • making offensive or inappropriate comments towards a child • misusing or attempting to misuse personal details obtained as part of a fare or booking; • sexual activity with a child or vulnerable person; • inappropriate relationship with a child or vulnerable person; • violence, coercion or intimidation of a child or vulnerable person; • human trafficking; <p>The notification shall specify the nature of the incident, the date of the incident, the date of arrest and / or questioning etc.</p>
2.18	<p>The Licensing authority maintains close links with the police in order to ensure effective and efficient information sharing protocols and procedure however, all licence holders are required to notify the Licensing Unit within 48 hours of:</p> <ul style="list-style-type: none"> • any arrest • any offence with which s/he is charged; • any pending court appearances; • all convictions; • the acceptance of a fixed penalty notice; • all endorsements for any motoring offences; • their acceptance of a speed or other awareness course; and, • all cautions, including those commonly referred to as "simple" "formal" or "police" cautions issued by the police or any other prosecuting authority. • Any Community Resolution Order imposed <p>The notification shall specify the nature of the offence, the date of the offence, the date of conviction or caution and the penalty imposed.</p>
2.19	<p>The driver shall provide the information in writing within 48 hours of accepting or receiving one of the above. For the avoidance of doubt, the date on which the offence becomes notifiable to the Council is the date on which the commission of the offence is accepted and admitted.</p>
2.20	<p>Within 24 hrs of any incident occurring, drivers must report to the Council's Licensing Unit any injury suffered by any of their passengers or any other person associated with any journey to whom the driver has a duty of care.</p>
2.21	<p>Drivers must notify the Council of any change of address within 7 days and then present their DVLA Driving Licence to the Council showing the new address details within 28 days of the change of address. Drivers have a statutory obligation to notify the DVLA of their new address.</p>
2.22	<p>Drivers must notify the Council's Licensing Unit without delay and as soon as reasonably possible, if they are admitted to hospital or suffering from any illness, injury, medication or physical deterioration which could affect their ability to drive a Hackney Carriage and/or Private Hire Vehicle or carry out their general driver duties. If in doubt, drivers should make enquiries with their own General Practitioner to determine whether such notification is appropriate. Failure to notify the Council as appropriate may result in the suspension or revocation of the hackney carriage/private hire drivers' licence.</p>
2.23	<p>It is the responsibility of the driver to ensure that the insurer(s) of their vehicle(s) are notified of any convictions or fixed penalty notices.</p>

2.24	NOTE: Failure to notify the Council of any of the above matters in good time may question the honesty of the driver irrespective of the outcome of any investigation. As a result, failure to notify the Council may result in suspension or the revocation, refusal to renew an licence or referral to the Council's Licensing & Public Protection Committee for a determination of the drivers fitness and propriety.
	Driver Training
2.25	The Council recognises that licensed drivers can be an asset in the detection and prevention of crime and the abuse or neglect of children or vulnerable adults. However we also recognise that in order to do so, they must be aware of and alert to the signs of potential abuse and know where to turn to if they suspect a child or vulnerable adult is at risk of harm or in immediate danger. To this end, all licensed driver are required to undertake an initial knowledge test prior to licensing and then appropriate training and refresher training when required.
2.26	<p>Training will be that which the Council considers reasonably necessary to promote the objectives of the Policy and may include: Equality & Disability Awareness; Safeguarding; Child Sexual Exploitation (CSE) County Lines and the prevention of terrorism as well as how to report any concerns.</p> <p>This training will help licensed drivers to:</p> <ul style="list-style-type: none"> • provide a safe and suitable service to vulnerable passengers of all ages; • recognise what makes a person vulnerable; and • understand how to respond, including how to report safeguarding concerns and where to get advice. <p>Drivers should also be aware of the following warning signs in respect of safeguarding and County Lines exploitation:</p> <ul style="list-style-type: none"> • Children and young people travelling in taxis or private hire vehicles alone; • travelling at unusual hours (during school time, early in the morning or late at night); • travelling long distances; • unfamiliar with the local area or do not have a local accent; • paying for journeys in cash or prepaid. <p>All drivers will be required to undertake this training in accordance with an implementation scheme to be determined. Failure to undertake the necessary training may lead to the suspension or revocation or refusal to renew the hackney carriage/private hire drivers' licence.</p>
2.27	In some circumstances, drivers may be required to undertake training on matters specific to their individual needs, for example: Safe driving; understanding the requirements of Council Policy; anger management; handling conflict & aggression; health & safety and customer service.
2.28	Drivers who fail to successfully complete any compulsory training may be required to undertake further training and/or have further action taken against them. These measures may include: having their hackney carriage/private hire drivers licence suspended, revoked or not renewed or be referred to the Council's Licensing & Public Protection Committee for a determination of the drivers fitness and propriety.
	Disclosure and Barring Service (DBS) Enhanced Disclosure Update Service
2.29	All applicants and licensed drivers are required to sign up to and maintain a subscription to the DBS Online Update Service. Drivers are encouraged to set up the DBS automatic renewal when first joining the update service and must remain subscribed for the duration of their licence. The Council will check the online DBS at regular intervals in order to ensure public safety. If the subscription is properly maintained and kept live with no status changes, no further action will be required by the driver.

2.30	<p>Where the DBS Update Service subscription is not maintained, a new DBS will be required and the driver's licence may be suspended until the driver renews the subscription and a new DBS Disclosure is received by the Licensing Unit.</p> <p>Hackney carriage/private hire drivers' licences may be suspended or revoked in accordance with the Penalty Matrix given at Annex E for persistent failure to maintain their DBS Subscription.</p> <p>Drivers are reminded of the need to promptly notify the Council of convictions, cautions etc. in accordance with Council Policy.</p>
	DVLA Driving Licences
2.31	A Driver and Vehicle Licensing Agency (DVLA) Driving Licence must be valid and in good condition. It must be legible and bear the driver's current home address.
2.32	<p>Drivers may be required to provide their DVLA Photocard Driving Licence for scrutiny by both the Licensing Unit and by any outside agency employed for that purpose.</p> <p>Drivers may also be required to sign an agreement mandate which will allow the Council to check their DVLA Licence status. Drivers are responsible for making sure that their DVLA Driving Licence is valid and up to date.</p> <p>Drivers will also be required to show or share their DVLA Driving Licence information with the Council's Licensing Unit upon request. This can be done in person at the Civic Centre or by means of a DVLA share code provided to the Licensing Unit. Drivers who do not comply with this reasonable request may have formal action taken against them.</p>
2.33	Any driver who permits their DVLA Photocard Driving Licence to expire may have their Hackney Carriage/Private Hire Drivers' Licence suspended if they have failed to comply with a licence condition requiring them to renew their DVLA Photocard.
2.34	<p>Any driver who, at any time, has 9 or more "live" points upon their DVLA Driving Licence or has served a driving ban or has been convicted of a driving offence such as driving without due care and attention may be required to undertake a driving assessment with the Staffordshire County Council's Safer Roads Partnership.</p> <p>This assessment must be undertaken at the driver's own expense but the initial process and contact with service provider will be facilitated by the Council's Licensing Unit.</p> <p>If concerns are raised by the driving assessor about the proficiency of the driver during the driving assessment, the Council may require additional driver training or further assessments to be carried out.</p> <p>The driver may have their Hackney Carriage/Private Hire Drivers' Licence suspended or revoked if their driving is deemed dangerous.</p>
2.35	<p>If a driver continues to have DVLA penalty points imposed upon their licence after their driving has been assessed by the County Council, that driver may be referred to the Council's Licensing & Public Protection Committee so that their fitness and propriety can be assessed.</p> <p>The expectation will be that drivers who persistently have penalty points imposed upon their DVLA Driving Licence may have their Hackney Carriage/Private Hire Drivers' Licence revoked.</p>
2.36	Any driver who has 12 penalty points or more upon their DVLA driving licence may be referred to the Council's Licensing & Public Protection Committee. The Committee will then make a determination as to whether the driver remains a fit and proper person to hold a hackney carriage/private hire drivers' licence. This determination is separate from any determination of financial hardship which may be made by the courts.

	Assessment by the Council's Medical Advisor
2.37	Drivers shall submit to a medical examination upon making first application for a Hackney Carriage/Private Hire Drivers' Licence and at such intervals thereafter as determined by any of the Council's medical advisor(s).
2.38	Notwithstanding the determination of the Council's medical advisor, Council Policy requires that in no case shall the interval between medical assessments be longer than 5 years up to the age of 45, every 3 years between ages of 45 and 60 and then annually thereafter. The Council may also require a licensed driver to undertake a medical assessment at their expense where it has reasonable cause to do so. The age differentials outlined within council's medical assessment policy are based on risk and the need to ensure public safety.
2.39	Where the Council has concerns regarding the use of drugs by an existing hackney carriage/private hire driver, the driver may be required to undertake a drugs test. The test will be arranged and paid for by the Council. Where the driver tests positive for drugs, the results will be considered by a qualified medical examiner nominated by the Council. The medical examiner will provide their opinion on the driver's fitness to remain a hackney carriage and private hire drivers licence assessed against the DVLA Group 2 medical standard.
2.40	Further testing or examination may be required if recommended by the medical examiner. The driver may then be referred to the Licensing and Public Protection Committee for determination. Each case will be judged on its own individual merits.
2.41	Drivers who wish to claim a medical dispensation to the Council's Dress Code or medical exemption from carrying Assistance Dogs are required to claim such an exemption through the Council's medical advisor during the specialist DVLA Group 2 medical assessment procedure.
	Whilst Driving a Licensed Private Hire Vehicle
2.42	It is an offence to ply for hire with a Private Hire Vehicle. To do so may negate insurance cover. Every passenger journey must be pre-booked through, and recorded by a person separately licensed by the District Council as a Private Hire Operator.
2.43	For the avoidance of doubt; if there is no prior booking, there can be no 'ride' for the passenger. A booking cannot be taken by the driver at the point of hiring.
2.44	Only carry up to the maximum permitted number of passengers as specified by the Private Hire Vehicle Licence and Plate.
2.45	Whilst driving or in charge of a Private Hire Vehicle (PHV), the driver shall not:- <ul style="list-style-type: none"> • Permit the PHV to stand or park in a manner which might suggest that the driver is plying for hire; • Solicit on a road or other public place any person to hire or to be carried for hire and reward in his/her PHV (or any PHV under his/her control or responsibility); or • Cause or procure any other person to solicit or procure on a road or other public place any person to hire or to be carried for hire and reward in any PHV under his/her control or responsibility.
	Whilst Driving a Licensed Hackney Carriage Vehicle
2.46	The taximeter shall be activated in accordance with current legal requirements.
2.47	Ensure that the Table of Fares can be clearly seen by passengers.
2.48	Obeys the Rules of the Rank.
2.49	Fulfill bookings punctually and use the shortest available routes, unless directed otherwise by the hirer.
2.50	Only carry up to the maximum permitted number of passengers as specified by the Hackney Carriage Vehicle Licence and Plate.

2.51	<p>Whilst driving or in charge of a Hackney carriage Vehicle, the driver shall not:-</p> <ul style="list-style-type: none"> • Tout for business or use others to do so. • Tamper, or allow anyone else to tamper with the taximeter or its fittings or any seal and only demand the authorised fare, giving a receipt if requested.
------	---

3	<p>New Applicants For Hackney Carriage/Private Hire Drivers' Licences</p>
3.1	<p>Requirements for all new applicants prior to first licensing on Initial application A valid application consists of the applicant meeting all of the following requirements:</p> <ul style="list-style-type: none"> • The submission of a completed and signed application form (including all relevant declarations) • The provision of 2 recent colour passport standard photographs that are of a good likeness of the applicant • The submission of a valid DVLA driving photo-card and show or share their DVLA Driving Licence information. This can be done in person at the time of submission of the application or by means of a share code provided to the Licensing Unit. • A completed Enhanced DBS disclosure • A certificate of Good Conduct (if applicable) • Proof that the applicant is legally permitted to work in the UK –a licence will not be issued for a period longer than that period the applicant is permitted to work in the UK. • A DVLA Group 2 Medical Certificate • Completion & passing the driving standards assessment • Payment of the application fee • The provision of any other documentation as required by the Licensing Authority to assist the processing of the application. <p>Important note: All convictions, cautions, fixed penalty notices and warnings etc, must be declared to the Licensing Unit on the application form. For the avoidance of doubt, offences committed by an applicant for a taxi drivers' licence, cannot be considered "spent" for the purposes of the Rehabilitation of Offenders Act 1974.</p> <p>Any dishonesty by any applicant or other person on the applicant's behalf which is discovered to have occurred in any part of any application process (e.g. failure to declare convictions, false names or addresses, falsified references) may result in a licence being refused, or if already granted, revoked and may result in prosecution.</p>
3.2	<p>Applicants are expected to complete the application process expediently and normally within 3 months of the initial application being submitted. Where applications are withdrawn and a refund is required, it is important that applicants are able to provide a receipt for the monies originally paid to the Council. Any monies which are subsequently refunded will normally be paid into a nominated bank account.</p>
3.3	<p>The Licensing Authority will in all cases verify an applicant's identity and require a criminal record check (DBS) to be undertaken. Where the check reveals that the applicant has a record of convictions, cautions and warnings the Licensing Authority will consider:</p> <ul style="list-style-type: none"> • The nature and seriousness of offence • When the offence was committed • The age of the applicant when the offence was committed • Any other factors which might be relevant

3.4	Within this policy, a Caution will be regarded in exactly the same way as a conviction. This is because a caution can only be imposed following an admission of guilt.
	In considering an individual's criminal record, the licensing authority will consider each case on its merits, but will take a particularly cautious view of any offences against individuals with special needs, children and other vulnerable groups, particularly those involving violence, those of a sexual nature and those linked to organised crime.
3.5	Where an applicant is or has previously been licensed with another authority, the Council's Licensing Unit will seek to access to those licence records. Where agreement to access the records cannot be reached, then the application may not be processed.
3.6	A licence to drive a hackney carriage or private hire vehicle cannot be granted to a person who is under 18 years of age. In addition, a licence cannot be granted to anyone over 18 who does not hold a full UK Driving Licence.
3.7	Those who hold an European Economic Area (EEA) member state driving licence should note that as a result of the UK leaving the EU, the driving licence requirement may now change. The Council will ensure that it complies with any requirement imposed upon us by UK Government.
	Disclosure and Barring Service (DBS) Enhanced Disclosure
3.8	An Enhanced Disclosure from the Disclosure and Barring Service (DBS) is required upon initial application. This disclosure will include information relevant to applicants being barred from working with children or adults.
3.9	New applicants are required to subscribe to the DBS Online Update Service. Drivers are encouraged to set up the DBS automatic renewal when first joining the update service and must remain subscribed for the duration of their licence. The Council will check the online DBS at regular intervals (or at any time where deemed necessary in order to ensure public safety). If there are no changes recorded on the DBS Update Service then a full DBS check will not be required on renewal.
3.10	Photographs provided with new applications must meet the criteria required by the Passport Office in respect of the background, colour, quality and size. It is recommended that photographs should be obtained from photograph machines or photographic retailers.
	Assessment of Fitness and Propriety
3.11	There is no legal definition of "fit and proper". The central consideration for the fit and proper test is the protection of the public and it is a requirement that no licence should be granted or renewed unless the Council is satisfied that the applicant is a fit and proper person.
3.12	In assessing the fitness and propriety of an applicant or licence holder, the Council will take into account several factors, including: <ul style="list-style-type: none"> • Right to work in the UK (for the full duration of the licence). • Criminal record (both current and spent convictions). • Mental and physical fitness. • Conduct, attitude and behaviour • Driving record and experience. • Sobriety. • Local knowledge test and ability to communicate in English.
3.13	In order to assess the suitability of an applicant, the Licensing Authority will undertake whatever checks and apply whatever processes it considers necessary to ensure that licences are not issued to, or used by people who are not fit and proper.
3.14	The onus is on an applicant to satisfy the Council that they are 'fit and proper' at the time of application. Simply being free from convictions is not enough. Licence holders must ensure that they remain 'fit and proper' at all times to ensure that they retain their licence. Failure to do so may result in sanctions and the likelihood that the licence will

	<p>be reviewed and may be subsequently suspended or revoked.</p> <p>In making the assessment of a drivers fitness and propriety, the Council will pose the following question.</p> <p><i>“Without prejudice and based on the information available, would you allow a person for whom you care, regardless of their condition to travel alone in a vehicle driven by this person at any time of day or night?”</i></p> <p>If, on the balance of probabilities, the answer to the question is “no” the individual should not be given the benefit of the doubt and should not hold a licence.</p>
3.15	<p>Where a new applicant has been living or working outside the UK and cannot provide evidence that they have lived in the UK for the previous 5 years they may be asked to provide a Certificate of Good Conduct. Government guidance on obtaining a Certificate of Good Conduct from any overseas country can be found at: https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants</p>
3.16	<p>The determination of applications will be made by licensing officers unless they cannot be satisfied as to the applicant’s fitness and propriety. Where an applicant’s fitness and propriety is in question, the application will be referred to the Council’s Licensing & Public Protection Committee for their determination.</p>
	<p>Knowledge Test</p>
3.17	<p>The knowledge test consists of a series of multiple choice questions set out on a selection of test papers or a computer programme. The test will be undertaken at the Civic Centre in Cannock. Applicants will be required to attend a training session held immediately before the knowledge test takes place. During the training session, applicants will be prepared for the knowledge test by licensing officers. The training may include such matters as hackney and private hire legislation, the Council’s taxi licensing policy, topographical and geographical knowledge of the Cannock Chase District and the Highway Code. Wider matters of importance to the taxi trade such as equality & disability awareness, Safeguarding, Child Sexual Exploitation (CSE), County Lines exploitation and the prevention of terrorism will also be included along with health and safety, customer care and handling conflict and aggression.</p>
3.18	<p>Where an applicant fails 4 knowledge tests then the application will be rejected and a period of at least 12 months must elapse before another application can be made.</p>
	<p>Assessment by the Council’s Medical Advisor</p>
3.19	<p>New applicants shall submit to a medical examination for a Hackney Carriage/Private Hire Drivers’ Licence and at such intervals thereafter as determined by the Council’s medical advisor(s).</p>
3.20	<p>Notwithstanding the determination of the Council’s medical advisor, Council Policy requires that in no case shall the interval between medical assessments be longer than 5 years up to the age of 45, every 3 years between ages of 45 and 60 and then annually thereafter. The Council may also require a licensed driver to undertake a medical assessment at their expense where it has reasonable cause to do so. The age differentials outlined within council’s medical assessment policy are based on risk and the need to ensure public safety.</p>
3.21	<p>As part of the application process, new applicants are required to undertake a simple drug test. Where the applicant fails the drug test and or the Council has concerns regarding the use of drugs by an applicant, they may be required to undertake a further drugs test at their own expense. This will be arranged by the Council.</p>

	Where an applicant tests positive for drugs, the results will be considered by a qualified medical examiner nominated by the Council. The medical examiner will provide their opinion on the driver's fitness and propriety in respect of DVLA Group 2 medical standard.
--	--

4	General Vehicle Information, Expectations and Requirements
4.1	<p>All vehicles (other than purpose built wheelchair accessible vehicles (WAVs) which are new to licensing with the Council will be no more than 42 months old. Vintage, classic or novelty private hire vehicles will be considered on their own merit. Purpose built WAVs which are new to licensing with the Council will be no more than 7 years old.</p> <p>All Electric and Hybrid saloon type vehicles which are presented as new to licensing, will be no more than 7 years old.</p> <p>All Electric and Hybrid wheelchair accessible type vehicles which are presented as new to licensing, will be no more than 10 years old.</p>
4.2	<p>Vehicles (which includes trailers), must be licensed by the Council and must be mechanically fit and suitable for purpose. Prior to licensing, vehicles must pass a comprehensive inspection and supplementary test approved by the Council's Licensing Unit. A fee will be payable in relation to each vehicle test or re-test. Vehicle licences will normally run for a twelve month period from date of issue.</p> <p>Trailers cannot be inspected separately from a vehicle. There is no additional charge for inspecting the trailer with the vehicle.</p>
4.3	The Council will use the national inspection standards contained within the latest edition of the Freight Transport Association's "FTA Best Practice Guide to Inspection of Hackney Carriage and Private Hire Vehicles."
4.4	Licence holders who wish to license their vehicles beyond its 6 th birthday will be required to have their vehicle inspected at least twice a year. These inspections will normally take place at 6 monthly intervals at Council's Hawks Green Depot. The cost of each test or any re-tests will need to be met by the applicant. Failure to comply with this requirements may lead to the suspension or revocation of the Proprietor's Hackney Carriage Vehicle Licence.
4.5	Date of first registration of the vehicle means the date of first registration in the UK, or the date of manufacture in the case of ex MOD vehicles etc. or vehicles first registered outside the UK. All vehicles must be right hand drive with the exception of novelty vehicles and Limousines.
4.6	Proprietors of hackney carriages and private hire operators must ensure that their vehicle are inspected on a regular basis for mechanical defects. This will help ensure that their vehicles are kept roadworthy. Proprietors and operators must also ensure that the drivers carry out a regular check to their vehicles before they start work.
4.7	No modifications which includes alterations, changes in specification, design, condition or appearance of the licensed vehicle will be permitted while a licence is in force.
4.8	The MOT Test requires that If a diesel particulate filter has clearly been cut open and rewelded, you should reject it unless the vehicle presenter can show evidence that there was a valid reason to cut it open, such as for filter cleaning.
4.9	No vehicle shall be fitted with any form of additional film to darken or tint the glass on any part of the vehicle without prior permission of the Council.
4.10	From June 2024, part worn tyres shall not be fitted on licensed vehicles This includes any spare tyre contained within the vehicle.
4.11	A spare wheel and tyre in good condition, properly inflated and suitable for the vehicle, together with sufficient tools for fitting same shall be provided unless the proprietor can

	<p>comply with the following: <i>The proprietor or operator of the vehicle shall take all reasonable steps to ensure, in the event of vehicle breakdown, that appropriate contingency arrangements are in place to enable passengers to complete their journeys safely and in good time to anywhere in the UK. Such steps may include: carrying and use of a spare wheel and tools; if vehicle is not designed to carry a spare, fitting run flat tyres all round or carrying puncture repair / inflation kit; vehicle breakdown cover which includes taking the passengers and their luggage to their intended destination anywhere in the UK; agreements with other proprietors / operators to provide assistance in emergencies etc. In any event, responsibility for ensuring the safety and welfare of passengers in such circumstances rests with the said proprietor or operator.</i></p>
4.12	The licence holder should be the Registered Keeper of the licensed vehicle and the DVLA V5 registration document should reflect this. The whole V5 document, or Part 10 of it (which is to be kept by the new keeper upon purchase), must be provided to the Licensing Unit prior to the vehicle being first licensed.
4.13	For reasons of security, the printed licence plate issued by the Council must be placed within the backing plate provided by the Council and then shall, at all times be fixed securely to the rear of the vehicle on the off side or centre of the vehicle at bumper height. The licence plate must be horizontal. The use of magnets to fix the plate to the licensed vehicle is not acceptable.
4.14	The plates shall not be affixed to any vehicle other than the one identified on the vehicle licence application form.
4.15	Planning permission may be required in order to operate a business within the Cannock Chase District. Where the general public have access to any Taxi Base, then the Council may require sight of adequate public liability insurance.
4.16	Seats that are accessed through the tailgate must not be used to carry passengers and must be removed prior to licensing.
4.17	Loose articles such as DVD players, laptops, clipboards and newspapers etc. shall not be placed on vehicle dashboards. Such articles may become airborne and potentially dangerous in the event of a road traffic collision or under sharp braking.
	Wheelchair Accessible Vehicles (WAV's) and Rear Loading Vehicles
4.18	The Council will consider licensing wheelchair accessible vehicles where they are capable of rear, as well as side loading. The safety and comfort of the passenger must be of paramount importance and therefore the purchase of this type of vehicle must be agreed with the Licensing Unit prior to licensing. Vehicles of this type should be purpose built and /or specifically and professionally modified to accommodate wheelchair passengers. All vehicles must be fit out for their intended purpose.
4.19	Tail lifts fitted to wheelchair accessible vehicles are subject to maintenance and inspection under the Lifting Operations and Lifting Equipment Regulations 1998 (LOLER). Where appropriate, LOLER certificates must be produced at the time of the first vehicle licensing and any subsequent renewal.
4.20	Children should not be transported in pushchairs or prams placed within Wheelchair Accessible Vehicles (WAV's). To do so may be considered negligent and a breach of the duty of care that drivers must afford passengers. Drivers must take reasonable steps to ensure passenger safety at all times.
	CCTV in Licensed Vehicles
4.21	Cannock Chase District Council encourages the use of CCTV systems within licensed vehicles as the installation can help to deter and prevent crime and can provide evidence to support investigation and possible prosecution. This approach benefits both passengers and drivers, who can equally be the subjects of assaults, abuse or fraud.

4.22	Although the Council is supportive of the installation of CCTV, no vehicle shall be fitted with a CCTV system without prior notification and agreement with the Council's Licensing Unit and notification to the proprietors Insurance company.
4.23	CCTV systems which are installed into licensed vehicles must be compliant with the General Data Protection Regulations 2018 (GDPR). The system must also be compliant with the Information Commissioner's requirements in respect of registering the system and the capturing, storing, retaining and using of recorded images.
4.24	Access to the camera(s) must be restricted and the information contained in the hard drive must be secured by lock and key, password protected and encrypted.
4.25	If available, audio recording should only be activated when there is a specific threat, in the same way that a panic button could be used. The time period that audio recording is taking place should be as short as possible.
4.26	<p>Dashcams are not suitable for the purpose of capturing images from <u>within</u> a licensed vehicle and are not to be classed as a CCTV system.</p> <p>Proprietors must ensure that the any dashcams fitted to vehicles only records the road outside of the vehicle. Any dashcam which records the inside of the vehicle or shows the road outside on a screen will need to be removed from the licensed vehicle.</p> <p>A link to the Councils Policy on CCTV and Dashcams can be found here: www.cannockchasedc.gov.uk</p>
	Transfer of Licensed Vehicles
4.27	<p>There are 2 types of transfer which might take place in accordance with Council policy.</p> <p>1. Where a vehicle which is already licensed to one licence holder is sold and/or transferred to another licence holder in accordance with Section 49 of the Local Government (Misc. Provisions) Act 1976. Note that the Proprietors vehicle licence must be valid at the time of transfer.</p> <p>2. A vehicle licence can be transferred from an existing licensed vehicle where for instance, it has been sold, to a new licensed vehicle but only where the new vehicle fulfils the Council's criteria for licensing. This transfer process will involve a whole month pro rata reimbursement of the licence fee for the remaining period of the licence. No vehicle licence fees will be reimbursed for any other reason.</p>
	Licensing of Category S and N written off vehicles
4.28	<p>The Council will permit the licensing of Category S and N vehicles where it is safe to do so. All such vehicles must comply with all other aspects of the Council's Policy. This includes any new to licensing age restriction and road traffic collision requirements on notification and inspection. A category S or N vehicle may only be presented for licensing with written evidence that the vehicle is safe. Such evidence must include a written damage and repair engineers report from the insurance company or its agent and must be provided to the Licensing Unit before the vehicle is presented for inspection and test.</p> <p>The Proprietor or prospective Proprietor of the vehicle, must also supply the Hawks Green Depot Workshop Supervisor, with a copy of the full collision damage and repair report which highlights the damaged and repaired area(s).</p>
	Requirement for Proprietors to Notify the Council's Licensing Unit
4.29	Without prejudice to the provisions of Section 170 of the Road Traffic Act 1988 the Licence Holder shall report to the Licensing Unit as soon as reasonably practicable, and in any case within 72 hours of the occurrence thereof, any accident to the licensed

	<p>vehicle causing damage materially affecting the safety, performance or appearance of the vehicle or the comfort or convenience of persons carried therein.</p> <p>Upon such notification to the Council, the licence holder may be required to provide specific information about the incident and the circumstances surrounding it. Proprietors or operators must ensure that drivers report any collision to them so that the Proprietor can act appropriately in reporting the incident to the Licensing Unit.</p> <p>Failure to notify the Licensing Unit as required above may result in the suspension or revocation of the proprietor's vehicle's licence. Vehicles which have been in a collision may be required to undertake a safety inspection of the vehicle at the Council's Hawks Green Depot. The licence holder will be required to pay the necessary inspection fee.</p>
4.30	Vehicle licences must be renewed in good time and must not be allowed to expire. Where they are allowed to expire, any subsequent application for licensing of the same vehicle may be rejected on the basis that the vehicle falls outside the Council's policy on the age of vehicles at first licensing.
4.31	Proprietors of licensed vehicles that are under suspension following a collision and are due for renewal, will be given reasonable time to renew the licence on the proviso that a completed renewal application form is received prior to the vehicle expiry.
5	Hackney Carriage Proprietor Vehicle Licences
5.1	A completed renewal application form for a vehicle licence must be received by the Licensing Unit before the expiry of the current licence. Where the licence has expired the application will be treated as a new application and Council policy relating to the licensing of new vehicles may apply.
5.2	<p>Applicants should submit the following when making an application:</p> <ul style="list-style-type: none"> • The completed application form and fee. • Vehicle registration certificate • Insurance certificate – Insurance must cover use of the vehicle for hire and reward • An MOT certificate once the vehicle is 12 months old • Compliance test pass certificate from the Council's nominated testing station (such a Certificate should normally be dated no more than 28 days old at the time that the application is made to the Licensing Authority) <p>Attention should be given to policy requirements on the vehicle specification, age restrictions and the supplementary testing manual before purchasing a vehicle.</p>
5.3	The Council is obliged to have regard to where any vehicle licensed by them will primarily be used. The Council may, in the proper exercise of its statutory discretion conferred upon them by section 37 of the Town Police Clauses Act 1847, refuse to grant or renew a Hackney Carriage Vehicle Licence where that vehicle is not intended to be used within the Cannock Chase area or is used predominantly in another area.
	Fitness & Propriety of Hackney Carriage Proprietors'
5.4	Where an existing or prospective Proprietor is not a licensed Hackney Carriage/Private Hire Driver and has not provided an Enhanced Disclosure through the Disclosure and Barring Service (DBS) then a Basic Disclosure must be obtained from the Disclosure & Barring Service prior to any licence being issued and every year thereafter. Online applications can be made at: https://www.gov.uk/government/organisations/disclosure-and-barring-service
5.5	The Proprietor shall keep comprehensive written records of day to day fares and bookings, e.g. date, time, pick up and drop off locations, fare etc. so as to ensure that sufficient information can be retrieved from the said records in order to assist any authorised officer of the Council or police constable in any investigation they may need to undertake.

5.6	The proprietor shall employ a suitable complaints procedure through which they will record and subsequently investigate all complaints made in relation to any driver or vehicle which is controlled by them. The complaints procedure must also record the outcome of any investigation. The said complaints procedure will be inspected as appropriate by the licensing authority and details of all recorded complaints and investigations shall be made immediately available on request.
Advertising, Logos and Livery on Hackney Carriage Vehicles	
5.7	An advertising policy will be applied as follows:- (i) Both the promotion of the hackney carriage company and the sponsorship advertising of products and services will be allowed, provided that advertisements conform to current UK Code of Non broadcast Advertising, Sales Promotion and Direct Marketing. (ii) For the avoidance of doubt, advertisements shall not offend public decency or cause offence on the grounds of race, sex, sexual orientation or disability. (iii) There shall be no advertisement of gambling, fast food, tobacco or alcohol products or anything of a sexual nature. (iv) Advertisements shall not be permitted on any glass. (v) No advertising, logo emblem or similar shall be capable of illumination and holograms will not be permitted. (vi) Any modification to the manufactured colour of a licensed vehicle, including the addition of company livery, must be agreed with the Council prior to any work being undertaken by the Proprietor. The V5 must then be amended where necessary to reflect any changes made.
Hackney Carriage Fares	
5.11	An approved, sealed, calibrated, and illuminated taximeter must be used to calculate and display the maximum fare for all journeys inside the Cannock Chase District in all hackney carriages. It must not be operated until the passenger is seated in the vehicle and the driver is seated and ready to move the vehicle to commence the journey. Once the journey is concluded by reaching the destination requested by the customer or passenger the fare displayed on the taximeter should be stated to the passenger and they or the customer should be requested to pay no more than the fare displayed. The Council will support licensed drivers who have reasonable cause to request payment of the appropriate fare prior to the journey taking place.
5.12	The Council's is the only tariff permitted on the meter. It must state the maximum fare that can be charged by drivers for journeys within the District. Lesser fares can be negotiated. The hirer may also agree a fare for a journey which ends outside the district.
5.13	A table of fares will be provided to each Hackney Carriage Proprietor, which must then be clearly displayed in each vehicle so that it is visible to all hirers.
5.14	Drivers must, if requested by the passenger, provide written receipts for fares paid.
6 Private Hire Vehicle Licences	
6.1	A completed renewal application form for a vehicle licence must be received by the Licensing Unit before the expiry of the current licence. Where the licence has expired the application will be treated as a new application and Council policy relating to the licensing of new vehicles may apply.
6.2	Applicants should submit the following when making an application: <ul style="list-style-type: none"> • The completed application form and appropriate fee • Vehicle registration certificate • Insurance certificate – Insurance must cover use of the vehicle for private hire • An MOT certificate once the vehicle is 12 months old

	<ul style="list-style-type: none"> • Compliance test pass certificate from the Council's nominated testing station (such a Certificate should normally be dated no more than 28 days old at the time that the application is made to the Licensing Authority) <p>Attention should be given to policy requirements on the vehicle specification, age restrictions and the supplementary testing manual before purchasing a vehicle.</p>
6.3	Some private hire vehicles which are exclusively to be employed for Executive use, may be exempt from the requirement to display licence plates under Section 75(3) of the LGMPA 1976. In consequence, the Licensing Authority will consider requests from certain operators for their businesses or part thereof to be exempted from specified conditions relating to signage and plating requirements.
6.4	In all cases, requests for exemption from one or more of the licence requirements must be made in writing, setting out the exemption sought and the justification as to why this exemption may be considered appropriate. The request must be accompanied by suitable and sufficient evidence to support the request.
6.5	Generally, exemptions will only be granted to prestigious models of vehicle with above average appearance and levels of equipment. Each application will be considered on its merits but as a guide, such vehicles should meet the following criteria: <ul style="list-style-type: none"> • A vehicle which is above the standard model and towards the top of the range as offered by the vehicle manufacturer • Climate control, all electric windows, and central anti-intrusion locking • Front and rear headrests and above average legroom • Pristine interior and external condition • New and/or low mileage
6.6	Where an exemption is granted, the Licensing Authority reserves the right to impose additional conditions or requirements, which may stipulate an alternative way of achieving the normal policy requirement, or a close alternative.
6.7	All exemptions granted will be subject to periodic review, and may be withdrawn at any time and without prior notice where the Licensing Authority can no longer be satisfied that the exemption is appropriate or no longer suitable.
6.8	Licensed private hire vehicles which carry a Section 75(3) exemption must not be used for any home to school transport. It is important that parents, carers and schools are able to immediately ascertain that any vehicle carrying children or vulnerable passengers is a properly licensed vehicle.
6.9	Exemption from the requirement to display private hire licence plates and livery will not be granted to novelty vehicles such as old fire engines etc.
	Novelty Vehicles
6.10	Any type of vehicle may be considered for licensing by the Council however the applicant must demonstrate to the Council that the overarching principle of public safety will not be compromised if the vehicle is licensed. Any additional testing and inspection costs must be funded by the applicant.

7.	Private Hire Operators' Licences
7.1	As with driver licensing, the objective in licensing private hire vehicle operators is to protect the public, who may be using operators' premises and trusting that the drivers and vehicles dispatched are above all else safe. It is important therefore that licensing authorities are assured that those that are granted a private hire vehicle operator also pose no threat to the public and have no links to serious criminal activity. Although private hire vehicle operators may not have direct contact with passengers, they are still entrusted to ensure that the vehicles and drivers used to carry passengers are appropriately

7.2	Where an existing or prospective Operator is not a licensed Hackney Carriage/Private Hire Driver and has not provided an Enhanced Disclosure with the Disclosure and Barring Service (DBS) then a Basic Disclosure must be obtained from the Disclosure & Barring Service prior to any licence being issued and annually thereafter.
7.3	A private hire vehicle operator licence may be applied for by a company or partnership; the licensing authority will apply the 'fit and proper' test to each of the directors or partners in that company or partnership. In consequence, private hire vehicle operators must advise the licensing authority of any change in directors or partners.
7.4	Private hire operators licences cannot be transferred from one person to another person or from one premises to another premises.
7.5	The Operator must ensure that all staff, whether directly employed by the company or not, are properly trained and suitable persons to undertake work which requires an element of propriety and confidentiality and should consider obtaining or have sight of a Basic Disclosure for all of their staff-
7.6	Operators must ensure that they have a written policy on employing ex-offenders and that all staff are suitable persons to undertake work which requires dealing with sensitive personal information and the maintaining of customer confidentiality. Operators should consider obtaining a Basic Disclosure for all of their support staff. Online applications can be made at: https://www.gov.uk/government/organisations/disclosure-and-barring-service
7.7	Operators must keep a register of bookings and dispatch staff and are required to evidence that they have had sight of a Basic DBS check on all individuals listed on that register .
7.8	Operators must provide a policy on the employment of ex-offenders and ensure that Basic DBS checks are conducted on any individual added to the register and that the result of the Basic DBS check is compatible with their own policy on employing ex-offenders.
7.9	The Operator must ensure that sensitive personal information, such as the holiday plans or movements of customers, will not be used or passed on for criminal or unacceptable purposes. The Operator must comply with the data protection legislation and the General Data Protection Regulations 2018.
7.10	The Operator must ensure that vehicles that are booked for private hire work are safe, mechanically sound and maintained in a good and clean condition.
7.11	The Operator must ensure that vehicles are properly insured for private hire work. This includes ensuring so far as possible, that private hire vehicles do not ply for hire.
7.12	Operators must ensure that all staff, whether directly employed or not, are suitably trained in order to understand how best to assist passengers and to comply with the duties to assist wheelchair passengers as per the Equalities Act 2010.
7.13	Operators must ensure that all staff, themselves included, whether directly employed or not, are suitably trained regarding how to recognise and report child sexual exploitation.
7.14	Private hire operators licences will normally be valid for five years from the date of issue though the Council reserves the right to issue such licences for shorter periods where it is deemed appropriate to do so.
7.15	Private hire operators will be issued with licences to operate vehicles within the following bandings: <ul style="list-style-type: none"> • one to five vehicles; • six to fifteen vehicles; or, • over fifteen vehicles. •

	<p>This will allow for greater flexibility in adding vehicles to the Operators' Licence at any time.</p> <p>Whole year reimbursement of private hire operator fees may be considered where an operator stops trading or operating for business reasons. Fees will not be reimbursed where an operator's licence is revoked.</p>
7.16	Operator licences may be suspended or revoked in cases where the operator's conduct falls short of the conduct expected of a fit and proper person. This would include cases where operators were convicted of offences relating to sexual exploitation, dishonesty and violence. It would also include breaches of licensing conditions and failure to keep accurate records.

ANNEX 1

Hackney Carriage / Private Hire Driver Licence Conditions	
1	The driver shall behave in a civil and orderly manner at all times and take all reasonable precautions to ensure the safety of passengers and other road users. For the avoidance of doubt this includes ensuring the proper restraint of wheelchair passengers; good standards of driving; being polite, courteous, as well as being helpful in assisting passengers to enter and alight from the vehicle and stowing/carrying luggage.
2	The driver shall not use or hold a hand held mobile phone, or eat or drink in the vehicle whilst it is moving.
3	The driver shall not, except with the express consent of the hirer, convey any other person other than the hirer in the vehicle.
4	The driver shall not allow or permit his/her vehicle to carry a greater number of passengers than the number prescribed on the licence.
5	The driver shall not without the express consent of the hirer play any radio or sound reproducing instrument or equipment in the vehicle other than for communicating with the operator.
6	The driver shall not cause or permit the noise emitted by any radio equipment or sound reproducing equipment installed in the vehicle to be a source of nuisance or annoyance to any persons whether inside or outside of the vehicle.
7	The driver of the vehicle who has agreed or been hired to attend with a vehicle at an appointed time and place shall, unless delayed or prevented by some reasonable cause, punctually attend with a vehicle at such appointed time and place.
8	The driver shall, if requested by the hirer, provide him/her with a written receipt for the fare paid specifying the driver's name and driver's hackney carriage/private hire drivers' licence number.
9	The driver shall ensure that the vehicle used whilst on duty is kept clean and tidy at all times.
10	The driver shall afford all reasonable assistance with passenger's luggage.
11	The driver shall at all times when a vehicle is hired take all reasonable steps to ensure the safety of passengers conveyed therein and persons entering and alighting from the vehicle.
12	Drivers shall not smoke in any vehicle and shall not permit passengers to smoke within any vehicle under their control.
13	Upon arrival at their pick up point, licensed drivers must strike a balance between ensuring that customers are given a reasonable period time to acknowledge their arrival and get into the waiting vehicle, and dealing with the realisation that the passenger will

	<p>not appear. Drivers will need to be able to justify their reasons if a complaint is made.</p> <p>Drivers shall not sound the vehicle's horn in order to attract the attention of customers. E.g. where they are waiting outside a domestic premises or public house etc.</p>
14	Assistance Dogs (Guide Dogs and Hearing Dogs) must be carried free of charge.
15	The Council shall issue a badge to all drivers detailing their name and driver number. The driver shall at all times when acting in accordance with their Hackney Carriage/Private Hire Drivers' Licence, wear the badge in such a position and manner so that it is plainly and distinctly visible. If any driver contravenes this provision they shall be guilty of an offence.
16	The licence badge remains the property of the Council at all times and upon revocation, suspension, expiry or surrender of the licence, the driver shall forthwith return the badge to the Council.
17	The Driver shall deposit his/her Hackney Carriage/Private Hire Drivers' Licence with the Private Hire Operator or Hackney Carriage Proprietor for which the vehicles is being used during the time it is being used for that person's business.
18	The driver shall not leave a vehicle under his/her control or responsibility unattended in any street or public place; this includes taxi ranks.
19	The driver shall immediately after the termination of any hiring or as soon as practicable thereafter, search the vehicle for any property which may have been left therein.
20	The driver shall, if any property is accidentally left therein by any person who may have been conveyed in that vehicle and be found by or handed to him/her carry it as soon as possible and in any event within 48 hours if not sooner claimed by or on behalf of its owner, to a police station in the district in order to receive instructions from the Police regarding its custody. https://www.staffordshire.police.uk/ro/report/lp/lost-or-found-property/?rid=558
21	All Hackney Carriage/Private Hire Drivers' Licence holders must be subscribed to the Disclosure and Barring Service Online Update Service and must give consent for the Council to monitor their DBS status.
22	<p>NOTE: These conditions to be read in conjunction with the Local Government Miscellaneous Provisions) Act 1976, Part II.</p> <p>Any person aggrieved by any conditions attached to the grant of a drivers licence may appeal to a Magistrates' Court. The Council reserves the right to vary these Conditions from time to time.</p>

Hackney Carriage Proprietors' Licence Conditions	
1	The Hackney Carriage shall be fitted with a custom lined roof sign bearing only the word 'Taxi'. A purpose built taxi with a built in illuminated taxi roof sign satisfies the Council's requirements so long as it is satisfactorily maintained.
2	During the hours of darkness the taxi sign shall be illuminated only when the carriage is standing or plying for hire within the District and shall be extinguished as soon as the vehicle is hired. For the purpose of this condition 'the hours of darkness' shall be the hours of lighting up time.
3	<p>Before the vehicle is used as a Hackney Carriage such insurance or securities as required by Part VI of the Road Traffic Act 1988 shall be obtained in respect of the vehicle and the Certificate in respect of the policy of insurance or security shall be produced to the Council. A valid certificate of insurance, or a true copy of it, shall be kept in the vehicle at all times and once expired it must be held in the possession of the Proprietor for 12 months after its expiry date.</p> <p>NOTE: Although only the Certificate of Insurance will normally need to be provided prior to the licensing of a vehicle, the Council reserves the right to require all insurance documents to be provided. These include the Proposal Form, the Statement of Facts, the Schedule of Endorsements, Public Liability Insurance, as well as the Insurance Certificate and/or any Cover Note issued.</p>
4	<p>Every Proprietor of a Hackney Carriage shall provide the carriage with a calendar controlled taxi meter so constructed, attached and maintained as to comply with the following requirements, that is to say:</p> <p>(a) The taxi meter shall be of an approved calendar controlled type and design, capable of being operated so as to cause the word 'hired' to appear on the face of the taxi meter.</p> <p>(b) Such taxi meter shall be capable of being rendered inoperable so that no fare is recorded on the face of the taxi meter.</p> <p>(c) When the taxi meter is being operated, there shall be recorded on its face in clearly legible figures a fare not exceeding the rate or fare which the Proprietor or Driver is entitled to demand and take for hire of the carriage in pursuance of the Bye-Laws in that behalf.</p> <p>(d) The word 'fare' shall be printed on the face of the taxi meter in plain letters so as clearly to apply to the fare recorded thereon.</p> <p>(e) The taxi meter shall be positioned in such a manner that all letters and figures on the face thereof are at all times plainly visible to any person being conveyed in the carriage and for that purpose the letters and figures shall be capable of being suitably illuminated during any period of hiring.</p> <p>(f) The taxi meter and all fittings thereof should be so affixed to the carriage with seals or other appliances that it shall not be practicable for any person to tamper with them except by breaking, damaging or permanently displacing the seals and other appliances.</p>

5	There shall be fixed externally to the rear of the Hackney Carriage, and any trailer, a plate issued by the Council, prominently displayed horizontally on the off-side or centre of the vehicle at bumper height. The licence plate(s) shall remain the property of the Council and shall be returned to the Council in the event of the revocation, expiry or suspension of the Licence.
6	Licensees are required to issue on request a hirer's receipt in respect of fares charged for hiring.
7	A copy of the current table of fares shall be exhibited inside the vehicle in clear distinguishable letters and figures in such a position that it can be conveniently seen by hirers.
8	The Proprietor shall present the vehicle(s), and any trailer(s) and taximeter affixed thereto for inspection and testing by or on behalf of the Council within such period and at such place within the area of the Council as they may by notice reasonably require on up to three separate occasions during any period of twelve months, without prejudice to the Council's right to carry out spot checks from time to time.
9	If the Proprietor transfers his interest in the licensed vehicle to a person other than the proprietor whose name is specified in the licence, then within fourteen days after such transfer notice in writing shall be given to the Council's Licensing Unit specifying the name and address of the person to whom the vehicle has been transferred.
10	<p>The Proprietor of a hackney carriages shall ensure that the vehicle meets the standard of fitness specified within the latest edition of the Freight Transport Association's "FTA Best Practice Guide to Inspection of Hackney Carriage and Private Hire Vehicles" and shall:</p> <ul style="list-style-type: none"> (a) provide sufficient means by which any person in the vehicle may communicate with the driver; (b) cause the roof or covering to be kept watertight; (c) provide any necessary windows and a means of opening and closing not less than one window on each side; (d) cause the seats to be properly cushioned or covered; (e) cause the floor to be provided with a proper carpet, mat or other suitable covering; (f) cause the fittings and furniture generally to be kept in a clean condition, well maintained and in every way fit for public service; (g) provide means for securing luggage if the carriage is so constructed as to carry luggage; (h) provide an efficient 1 Kg fire extinguisher and suitable first aid kit which shall be carried in such a position as to be readily available for use. Drivers are not expected to be trained in the use of either piece of equipment. (i) provide at least two doors for the use of persons conveyed in such carriage and a separate means of ingress or egress for the driver; (j) provide rear seat belts, for vehicles registered from April, 1987. Under the terms of the Road Vehicles (Construction and Use) Regulations 1986, these seat belts must be readily accessible to be used by the passengers in the relevant seats.
11	The licensee shall produce the licence upon request to any officer authorised by the Council or any police constable for inspection.

12	The Proprietor shall keep comprehensive written records of day to day fares and bookings, e.g. date, time, pick up and drop off locations, fare etc. so as to ensure that sufficient information can be retrieved from the said records in order to assist any authorised officer of the Council or police constable in any investigation they may need to undertake.
13	<p>Proprietors must ensure that nothing within the licensed vehicle exhibits any of the following:</p> <ul style="list-style-type: none"> • Offensive language. • References to drunkenness or the use of recreational drugs. • Anything racist, sexist, discriminatory or otherwise offensive. • Any advertising that does not conform to the relevant codes of advertising practice.
14	A licence may be revoked, suspended or not renewed in accordance with statutory provisions.
15	<p>NOTE: These conditions are to be read in conjunction with the appropriate provisions of the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976 Part II and the Cannock Chase District Council Bye-Laws relating to Hackney Carriages.</p> <p>Any person aggrieved by any of these conditions has the right of appeal to a Magistrates' Court.</p> <p>The Council reserves the right to vary these conditions from time to time.</p>

	Private Hire Vehicle Conditions
1	<p>(a) All Private Hire Vehicles shall display a sign on each side of the vehicles, on the doors, giving the following information:-</p> <ul style="list-style-type: none"> (i) The name of the firm. (ii) The words "PRIVATE HIRE" (iii) The telephone number of the firm. <p>These should be in plain block letters not exceeding 50mm in height and of proportionate width.</p> <p>Where the words "PRIVATE HIRE" form part of the name of the firm, "PRIVATE HIRE" need not be repeated.</p> <ul style="list-style-type: none"> (b) Private Hire Vehicles shall display at all times in the front windscreen a plate, where supplied by the Council, showing the licence number, vehicle registration and date of expiry of the licence. (c) Private Hire vehicles may also display a card of a maximum size of 6" x 4", giving the name and telephone number of the Operator and the Council's licence number in respect of the vehicle, in the rear window. (d) No other advertisement, notice or sign shall be displayed on any private hire vehicle, with the exception of the licence plate referred to in condition 2 below. All signs must be of a design approved by the Council. No signs, advertisements or distinguishing marks may appear on the vehicle without the written consent of the Council. (e) Any modification to the manufactured colour of a licensed vehicle, including the addition of company livery, must be agreed with the Council prior to any work being undertaken by the Proprietor. The V5 must then be amended to reflect any changes made.
2	<p>When the Private Hire vehicle is used in the Cannock Chase District the plate issued by the Council bearing the licence number and identifying the vehicle as a private hire vehicle and showing the number of passengers which the vehicle is licensed to carry shall be affixed prominently on the rear bumper or rear boot panel of the vehicle except during such period that the vehicle is used for carrying passengers for hire or reward:-</p> <ul style="list-style-type: none"> (i) Whilst being used solely in connection with a wedding; or, (ii) Whilst being used solely in connection with a funeral.
3	<p>The licence plate shall remain the property of the Council and shall be returned to the Council on the sale or transfer of the licensed vehicle (or in the event of the revocation, expiry of suspension of the licence).</p>
4	<p>If the licence holder transfers his interest in the licensed vehicle to a person other than the licence holder whose name is specified in the licence, then within 14 days after such transfer notice in writing shall be given to the Council's Licensing Unit specifying the name and address of the person to whom the vehicle has been transferred.</p>
5	<p>Before using the vehicle for private hire such insurances or securities as are required under Part VI of the Road Traffic Act 1988, shall be obtained in respect of such vehicle and the certificate in respect of the policy of insurance or security shall be produced to the Council's Licensing Unit for inspection.</p>

6	Although only the Certificate of Insurance will normally need to be provided prior to the licensing of vehicle, the Council reserves the right to require all insurance documents to be provided. These include the Proposal Form, the Statement of Facts, the Schedule of Endorsements, Public Liability Insurance, as well as the Insurance Certificate and/or any Cover Note issued.
7	The licence holder shall present the vehicle and any taxi meter affixed thereto for inspection and testing by or on behalf of the Council within such period and at such place within the area of the Council as they may by notice reasonably require on up to 3 separate occasions during any period of 12 months, without prejudice to the Council's right to carry out spot checks from time to time.
8	Where a taxi meter is fitted to a Private Hire Vehicle, it shall be of an approved Calendar controlled type and design.
9	Licensees are required to issue on request a hirer's receipt in respect of fares charged for hiring.
10	The Operator of a Private Hire Vehicle shall ensure that the vehicle meets the Council's standard of fitness as specified within this policy and in particular shall:- <ul style="list-style-type: none"> (a) Provide sufficient means by which any person in the vehicle may communicate with the driver; (b) Cause the roof or covering to be kept watertight; (c) Provide any necessary windows and a means of opening and closing not less than one window on each side; (d) Cause the seats to be properly cushioned or covered; (e) Cause the floor to be provided with a proper carpet, mat or other suitable covering; (f) Cause the fittings and furniture generally to be kept in a clean condition, well maintained and in every way fit for public service; (g) Provide means for securing luggage if the carriage is so constructed as to carry luggage. (h) Provide an efficient fire extinguisher and suitable first aid kit which shall be carried in such a position as to be readily available for use. Drivers are not expected to be trained in the use of either piece of equipment. (i) Provide at least two doors for the use of persons conveyed in such carriage and a separate means of ingress or egress for the driver; (j) Provide rear seat belts, for vehicles registered from April 1987. Under the terms of the Road Vehicles (Construction and Use) Regulations 1986, these seat belts must be readily accessible to be used by the passengers in the relevant seats.
11	The licensee shall produce this licence upon request to any officer authorised by the Council or any Police Constable for inspection.
12	Private hire vehicle licence holders must ensure that nothing within the licensed vehicle exhibits any of the following: <ul style="list-style-type: none"> • Offensive language. • References to drunkenness or the use of recreational drugs. • Anything racist, sexist, discriminatory or otherwise offensive. • Any advertising that does not conform to the relevant codes of advertising practice.
13	NOTE: These conditions to be read in conjunction with the Local Government (Miscellaneous Provisions) Act 1976, Part II. Any person aggrieved by any of these conditions has the right of appeal to a Magistrates' Court. The Council reserves the right to vary these Conditions from time to time.

Private Hire Operators' Licence Conditions	
1	All licensed private hire operators are required to keep a register of all staff that will take bookings or dispatch vehicles.
2	The Operator shall employ a suitable complaints procedure through which they will record and subsequently investigate all complaints made in relation to any driver or vehicle which is operated by them. The complaints procedure must also record the outcome of any investigation. This complaints procedure will be inspected as appropriate by the licensing authority and details of all recorded complaints and investigations shall be made immediately available on request.
3	<p>The Operator shall keep a record book (which may be electronic) and shall enter therein, before the commencement of each journey, the following particulars of every booking of a private hire vehicle invited or accepted by the operator, whether by accepting the same from the hirer or by undertaking it at the request of another operator, and shall produce such record on request to any Officer authorised by the Council or to any Police Constable for inspection:-</p> <ul style="list-style-type: none"> (a) the name of the driver who undertakes the booking; (b) the drivers licence number; (c) date and time booking made; (d) date and time booking made for; (e) method by which booking communicated to driver; (f) the vehicle registration number; (g) private hire vehicle licence number; (h) place passenger's journey commences; (i) place passenger's journey terminates; (j) name and address of the passenger/person hiring car; (k) the name of any individual that responded to the booking request; (l) the name of any individual that dispatched the vehicle.
4	<p>The Licensee shall keep a record of any private hire vehicle operated by him showing the following details:-</p> <ul style="list-style-type: none"> (a) owner of the vehicle; (b) make of the vehicle; (c) model of the vehicle; (d) manufacturer of the vehicle; (e) registration number of the vehicle; (f) private hire vehicle licence number; (g) the issuing authority of the licence; (h) the date of expiry of the private hire vehicle licence; <p>and the Licensee shall produce this record of private hire vehicles operated upon request to any Officer authorised by the Council or to any police constable for inspection.</p>
5	The use of a driver who holds a PCV licence and the use of a public service vehicle (PSV) such as a minibus to undertake a private hire vehicle booking shall not be permitted without the informed consent of the booker.
6	The Operator shall record particulars of any property accidentally left in a vehicle and reported to him by the driver of such vehicle before the driver delivers the property to a police station in the District.
7	The Licensee shall not assign or in any way part with the benefit of this licence.
8	The Licensee shall notify the Council of any change of circumstances relating to the business including changes of vehicles and the engaging or discharge of drivers.

9	<p>The Licensee shall be responsible for every contract for the hire of a private hire vehicle and shall ensure that:-</p> <p>(a) every private hire vehicle, whether or not the Licensee provides the vehicle, is in possession of a current licence granted under the provisions of the Local Government (Miscellaneous Provisions) Act 1976;</p> <p>(b) every private hire driver is in possession of a current Licence granted under the provisions of the said Act of 1976.</p>
10	<p>The Licensee shall produce the licence upon request to any Officer authorised by the Council or any police constable for inspection. It is desirable that the licence is displayed in a prominent public position within the place of business.</p>
11	<p>Records of bookings taken, and of vehicles and drivers carrying out the bookings are to be kept available for inspection for not less than a period of six months.</p>
12	<p>Private hire vehicles may be sub contracted by the operator in accordance with the requirements of section 11 of the Deregulation Act 2015 which inserted section 55(A) & (B) into The Local Government (Miscellaneous Provisions) Act 1976.</p>
13	<p>NOTE: These conditions to be read in conjunction with the Local Government (Miscellaneous Provisions) Act 1976, Part II.</p> <p>Any applicant who is aggrieved by any of these conditions has a right of appeal to a Magistrates' Court.</p> <p>The Council reserves the right to vary these Conditions from time to time.</p>

GUIDANCE ON DETERMINING THE SUITABILITY OF APPLICANTS AND LICENSEES IN HACKNEY CARRIAGE AND PRIVATE HIRE TRADES.

This guidance must be read in conjunction with the Department for Transport (“DfT”) *Statutory Taxi & Private Hire Vehicle Standards* and the Institute of Licensing (“IoL”) *Guidance on determining the suitability of applicants and licensees in the hackney and private hire trades*.

	<p>Applicants</p>
	<p>All applicants for Hackney Carriage or Private Hire driver licences are required to declare any convictions or cautions, fixed penalty notices and DVLA licence endorsements - including any pending convictions and investigations. All applicants must also submit to Disclosure and Barring Service checks. The Council will deal with all information provided in strict confidence. Any information will be retained for no longer than is necessary for the purposes of processing the application for the Licence.</p>
	<p>Driver’s Duty to Inform the Council</p>
	<p>Once a Licence has been granted, drivers are required to inform the Council in writing and within 48 hours of any offence with which s/he is charged; any pending court appearances; any convictions; the acceptance of a fixed penalty notice; any endorsements for motoring offences; the acceptance of a speed or other awareness course and all cautions imposed on them since the grant of the Licence. In addition, Drivers are required to inform the Council in writing and within 48 hours of becoming aware of any pending criminal investigation that concerns them.</p>
	<p>Consideration of Applications</p>
	<p>Each and every case will be decided on its own merits and accordance with this policy.</p>
	<p>Public Safety is the Primary Concern</p>
	<p>Public safety is the primary concern for the licensing of Hackney Carriage and Private Hire Drivers. The Council has a duty to ensure, so far as possible, that Drivers are “fit and proper” persons to hold licences. The Council has to consider whether Drivers are fit and proper when they apply for licences, and it also has to consider whether they remain fit and proper throughout the time that the licence remains in force.</p> <p>Both hackney carriage and private hire drivers are exempt from the provisions of the Rehabilitation of Offenders Act 1974. This means that there are no “spent” convictions and that any and all criminal convictions (apart from “protected convictions” and “protected cautions” where they have been declared) can be taken into account by the local authority in assessing safety and suitability, but only relevant spent convictions should be considered by the decision maker.</p>
	<p>Drivers</p>
	<p>As the criteria for determining whether an individual should be granted or retain a hackney carriage driver’s licence are identical to the criteria for a private hire driver’s licence, the two are considered together.</p> <p>A driver has direct responsibility for the safety of their passengers, direct responsibility for the safety of other road users and significant control over passengers who are in the vehicle. As those passengers may be alone, and may also be vulnerable, any previous convictions or unacceptable behaviour will weigh heavily against a licence being granted or retained.</p>

	As stated above, where an applicant has more than one conviction showing a pattern or tendency irrespective of time since the convictions, serious consideration will need to be given as to whether they are a fit and proper person. In relation to single convictions, the following time periods should elapse following completion of the sentence (or the date of conviction if a fine was imposed before a licence will be granted).
	Crimes resulting in death
	Where an applicant or licensee has been convicted of a crime which resulted in the death of another person or was intended to cause the death or serious injury of another person they will not be licensed.
	Exploitation
	Where an applicant or licensee has been convicted of a crime involving, related to, or has any connection with abuse, exploitation, use or treatment of another individual irrespective of whether the victim or victims were adults or children, they will not be licensed. This includes slavery, child sexual exploitation, grooming, psychological, emotional or financial abuse, but this is not an exhaustive list.
	Offences involving violence
	Where an applicant has a conviction for an offence of violence, or connected with any offence of violence, a licence will not be granted until at least 10 years have elapsed since the completion of any sentence imposed.
	Possession of a weapon
	Where an applicant has a conviction for possession of a weapon or any other weapon related offence, a licence will not be granted until at least 7 years have elapsed since the completion of any sentence imposed.
	Sex and indecency offences
	Where an applicant has a conviction for any offence involving or connected with illegal sexual activity or any form of indecency, a licence will not be granted. In addition to the above, the licensing authority will not grant a licence to any applicant who is currently on the Sex Offenders Register or on any 'barred' list.
	Dishonesty
	Any dishonesty by any applicant or other person on the applicant's behalf which is discovered to have occurred in any part of any application process (e.g. failure to declare convictions, false names or addresses, falsified references) will result in a licence being refused, or if already granted, revoked and may result in prosecution. Where an applicant has a conviction for any offence of dishonesty, or any offence where dishonesty is an element of the offence, a licence will not be granted until at least 7 years have elapsed since the completion of any sentence imposed.
	Drugs
	Where an applicant has any conviction for, or related to, the supply of drugs, or possession with intent to supply or connected with possession with intent to supply, a licence will not be granted until at least 10 years have elapsed since the completion of any sentence imposed. Where an applicant has a conviction for possession of drugs, or related to the possession of drugs, a licence will not be granted until at least 5 years have elapsed since the completion of any sentence imposed. In these circumstances, any applicant will also have to undergo drugs testing at their own expense to demonstrate that they are not using controlled drugs.
	Discrimination
	Where an applicant has a conviction involving or connected with discrimination in any form, a licence will not be granted until at least 7 years have elapsed since the completion of any sentence imposed.

	Motoring convictions
	<p>Hackney carriage and private hire drivers are professional drivers charged with the responsibility of carrying the public. Any motoring conviction demonstrates a lack of professionalism and will be considered seriously. It is accepted that offences can be committed unintentionally, and a single occurrence of a minor traffic offence would not prohibit the grant of a licence or may not result in action against an existing licence. Subsequent convictions reinforce the fact that the licensee does not take their professional responsibilities seriously and is therefore not a fit and proper person to be granted or retain a licence.</p>
	Drink driving/driving under the influence of drugs/using a hand-held telephone or hand held device whilst driving
	<p>Where an applicant has a conviction for drink driving or driving under the influence of drugs, a licence will not be granted until at least 7 years have elapsed since the completion of any sentence or driving ban imposed. In these circumstances, any applicant will also have to undergo drugs testing at their own expense to demonstrate that they are not using controlled drugs.</p> <p>Where a new applicant has a single fixed penalty notice for using a hand-held mobile telephone or a hand held device whilst driving and has 7 penalty points or less imposed on their DVLA Driving Licence, a licence may be granted along with a written warning as to the drivers future behaviour.</p> <p>Where a new applicant has a court conviction for using a hand-held mobile telephone or a hand held device whilst driving, a licence will not be granted until at least 3 years have elapsed since the conviction or completion of any sentence or driving ban imposed, whichever is the later.</p>
	Other motoring offences
	<p>A minor traffic or vehicle related offence is one which does not involve loss of life, driving under the influence of drink or drugs, driving whilst using a mobile phone, and has not resulted in injury to any person or damage to any property (including vehicles).</p> <p>Where a new applicant has 7 or more points on their DVLA licence for minor traffic or similar offences, a licence will not be granted until at least 5 years have elapsed since the completion of any sentence imposed.</p> <p>Existing driving who make application to renew their licence and have made the Council properly aware that they have 9 points or more on their driving licence, may be required to undertake driving assessment and may have their application referred to the Council's Licensing & Public Protection Committee.</p> <p>A major traffic or vehicle related offence is one which is not covered above and also any offence which resulted in injury to any person or damage to any property (including vehicles). It also includes driving without insurance or any offence connected with motor insurance. Where an applicant has a conviction for a major traffic offence or similar offence, a licence will not be granted until at least 7 years have elapsed since the completion of any sentence imposed.</p>
	Hackney carriage and private hire offences
	<p>Where an applicant has a conviction for an offence concerned with or connected to hackney carriage or private hire activity (excluding vehicle use), a licence will not be granted until at least 7 years have elapsed since the completion of any sentence imposed.</p>

	Vehicle use offences
	Where an applicant has a conviction for any offence which involved the use of a vehicle (including hackney carriages and private hire vehicles), a licence will not be granted until at least 7 years have elapsed since the completion of any sentence imposed.
	Private Hire Operators
	<p>A private hire operator (“an operator”) does not have direct responsibility for the safety of passengers, other road users or direct contact with passengers who are in the private hire vehicle (except where they are also licensed as a private hire driver). However, in performing their duties they obtain and hold considerable amounts of personal and private information about their passengers which must be treated in confidence and not revealed to others, or used by the operator or their staff for criminal or other unacceptable purposes.</p> <p>As stated above, where an applicant has more than one conviction, serious consideration will need to be given as to whether they are a fit and proper person.</p> <p>Operators must ensure that any staff that are used within the business (whether employees or independent contractors) and are able to access any information as described above are subject to the same standards as the operator themselves. This can be effected by means of the individual staff member being required by the operator to obtain a basic DBS certificate. If an operator is found not to be applying the required standards and using staff that do not meet the licensing authority’s overall criteria, that will lead to the operator’s licence being revoked.</p> <p>As public trust and confidence in the overall safety and integrity of the private hire system is vital, the same standards will be applied to operators as those applied to drivers, which are outlined above.</p>
	Vehicle proprietors
	<p>Vehicle proprietors (both hackney carriage and private hire) have two principal responsibilities.</p> <p>Firstly, they must ensure that the vehicle is maintained to an acceptable standard at all times. Secondly, they must ensure that the vehicle is not used for illegal or illicit purposes. As stated above, where an applicant has more than one conviction, serious consideration will need to be given as to whether they are a fit and proper person to be granted or retain a vehicle licence.</p> <p>As public trust and confidence in the overall safety and integrity of the private hire system is vital, the same standards will be applied to proprietors as those applied to drivers, which are outlined above.</p>
	Totting Up Disqualifications
	Where a number of traffic offences has resulted in a driver receiving 12 penalty points or more on his/her licence the driver will be disqualified from driving unless the Court is satisfied that exceptional hardship would be suffered by an individual if disqualified. This is known as a “totting-up” disqualification. Where an applicant has a totting-up disqualification an application will usually be refused until a period of between 12 months and 2 years has lapsed from the restoration of the DVLA licence depending on the seriousness of the offences which led to the totting up. Where an existing licence holder is disqualified from driving as a result of a totting up procedure, the licence will normally be revoked.
	Other driving disqualifications
	Licensed drivers who are banned from driving by the Courts for 55 days or less, will not have their licence application considered by the Council until at least 3 months have

	<p>passed since the expiry of their ban. Licensed drivers who are banned from driving by the Courts for 56 days or more, will not have their licence application considered until at least 6 months have passed since the expiry of their ban.</p>
	<p>Enforcement</p>
	<p>The Council's Constitution sets out who is responsible for making decisions on matters relating to Hackney Carriage and Private Hire licensing.</p> <p>The Council operates a scheme of delegation where certain powers are delegated to Authorised Officers and Elected Members who sit on the Licensing & Public Protection Committee. A copy of the constitution which contains the scheme of delegation is available on the Council's website or upon request.</p> <ul style="list-style-type: none"> • How relevant the offence(s) are to the licence being applied for • How serious the offence(s) were • When the offence(s) were committed • The date of conviction • Circumstances of the individual concerned • Sentence imposed by the court • The applicant's age at the time of conviction. • Whether they form part of a pattern of offending • Any other character check considered reasonable (e.g. personal references) • Any other factors that might be relevant <p>In order to ensure the protection of the public the Council carries out enforcement activity to ensure compliance with primary legislation and licensing conditions.</p>
	<p>Enforcement activity is carried out in order to satisfy the policy objectives of:-</p> <ul style="list-style-type: none"> • Public Protection • Improving quality • Promoting high vehicle standards • Improving access for all • Improving public confidence • Supporting the safety and success of the night time economy
	<p>Enforcement activity includes the bringing of prosecutions in respect of statutory offences such as illegally plying for hire and refusal to take a fare without good reason. Enforcement also includes taking action in respect of breaches of licensing conditions and taking action in cases of poor conduct or following complaints from the public. Enforcement action also includes lesser sanctions such as formal written warnings.</p>
	<p>Enforcement in cases other than prosecutions, includes cases where the Council decides to suspend or revoke licences.</p> <p>Where such enforcement activity is proposed then the Council' Licensing Unit will, where required, carry out a relevant decision making process which employs three officers in order to make a determination. In practice, one officer will propose an appropriate penalty; a second officer will challenge or agree the decision as considered appropriate and a third officer in a higher management position will make the final determination. This will help ensure separation between the investigator and the decision maker.</p>
	<p>The Council may suspend or revoke vehicle licences in cases relating to unsafe vehicles or breaches of licensing conditions.</p>
	<p>Complaints, possible offences and contraventions of conditions/ policy may be investigated by way of an interview under caution in compliance with the Police and Criminal Evidence Act 1984.</p>

SPENT CONVICTIONS

The below rehabilitation periods align with government legislation that came into force on 28 October 2023.

Under the Rehabilitation of Offenders Act 1974 (ROA), eligible convictions or cautions become 'spent' after a specified period of time, known as the 'rehabilitation period'.

The rehabilitation periods depend on:

- the sentence given or disposal administered as a result of a conviction
- the age of the individual on the date they are convicted

The table below shows the rehabilitation periods for the most common sentences and disposals.

Rehabilitation Periods table

Sentence or disposal	Rehabilitation period if aged 18 or over when convicted or disposal administered	Rehabilitation period if aged under 18 when convicted or disposal administered
<ul style="list-style-type: none">• Sentence of imprisonment for life• Sentence of imprisonment, youth custody, detention in a young offender institution or corrective training of over four years for a schedule 18 offence• Sentence of preventive detention• Sentence of detention at His Majesty's pleasure• Sentence of custody for life• Public protection sentences* (imprisonment for public protection, detention for public protection, extended sentences of imprisonment or detention for public protection and extended determinate sentences for dangerous offenders)	<p>These sentences are excluded from rehabilitation and so will always be disclosed</p>	<p>These sentences are excluded from rehabilitation and so will always be disclosed</p>

Sentence or disposal	Rehabilitation period if aged 18 or over when convicted or disposal administered	Rehabilitation period if aged under 18 when convicted or disposal administered
<p>*A public protection sentence (the provisions for which are set out in Part 12 of the Criminal Justice Act 2003 and Part 8 of the Armed Forces Act 2006 means a sentence of imprisonment or detention, as detailed above, imposed for specified sexual and violent offences.</p>		
<p>A custodial sentence of more than 4 years (not for a schedule 18 offence)</p>	<p>The end of the period of 7 years beginning with the day on which the sentence (including any licence period) is completed</p>	<p>The end of the period of 42 months beginning with the day on which the sentence (including any licence period) is completed</p>
<p>A custodial sentence* of more than 1 year and up to, or consisting of, 4 years</p>	<p>The end of the period of 4 years beginning with the day on which the sentence (including any licence period) is completed</p>	<p>The end of the period of 2 years beginning with the day on which the sentence (including any licence period) is completed</p>
<p>A custodial sentence of 1 year or less</p>	<p>The end of the period of 12 months beginning with the day on which the sentence (including any licence period) is completed</p>	<p>The end of the period of 6 months beginning with the day on which the sentence (including any licence period) is completed</p>
<p>Removal from His Majesty's service</p>	<p>The end of the period of 12 months beginning with the date of the conviction in respect of which the sentence is imposed</p>	<p>The end of the period of 6 months beginning with the date of the conviction in respect of which the sentence is imposed</p>

Sentence or disposal	Rehabilitation period if aged 18 or over when convicted or disposal administered	Rehabilitation period if aged under 18 when convicted or disposal administered
A sentence of service detention	The end of the period of 12 months beginning with the day on which the sentence is completed	The end of the period of 6 months beginning with the day on which the sentence is completed
A severe reprimand or reprimand under the Armed Forces Act 2006	The end of the period of 12 months beginning with the date of the conviction in respect of which the sentence is imposed	The end of the period of 6 months beginning with the date of the conviction in respect of which the sentence is imposed
Driving endorsements	5 years from the date of conviction	2 years 6 months from the date of conviction
Driving disqualification	When the period of the disqualification has passed	When the period of the disqualification has passed
Simple caution, youth caution**	Spent immediately	Spent immediately
Conditional caution, youth conditional caution, diversionary caution**	3 months or when caution ceases to have effect if earlier	3 months or when caution ceases to have effect if earlier

Sentence or disposal	Rehabilitation period if aged 18 or over when convicted or disposal administered	Rehabilitation period if aged under 18 when convicted or disposal administered
A fine	The end of the period of 12 months beginning with the date of the conviction in respect of which the sentence is imposed	The end of the period of 6 months beginning with the date of the conviction in respect of which the sentence is imposed
A compensation order	The date on which the payment is made in full	The date on which the payment is made in full
Absolute discharge	Spent immediately	Spent immediately
Relevant orders*** (orders that impose a disqualification, disability, prohibition or other penalty)	The end date given by the order or, if no date given, 2 years from the date of conviction - unless the order states 'unlimited', 'indefinitely' or 'until further order' as in these cases it will remain unspent	The end date given by the order or, if no date given, 2 years from the date of conviction - unless the order states 'unlimited', 'indefinitely' or 'until further order' as in these cases it will remain unspent

*Suspended custodial sentences are treated the same as custodial sentences for this purpose. It will be the length of the sentence imposed by the court, not the period it is suspended for that dictates when it will become spent.

**Diversionary cautions and community cautions were introduced under the PCSC Act 2022 and are due to come into force in 2024.

***Relevant orders include

1. Community and youth rehabilitation orders 2. Conditional discharge orders 3. Hospital orders 4. Bind overs 5. Referral orders	6. Care orders, and 7. Earlier statutory orders and 8. Any order imposing a disqualification, disability, prohibition, penalty, requirement or restriction, or is otherwise intended to regulate the behaviour of the person convicted.
--	---

MINOR TRAFFIC OFFENCES

- CU10 Using vehicle with defective brakes
CU20 Causing or likely to cause danger by reason of use or unsuitable vehicle or using a vehicle with parts or accessories (excluding brakes, steering or tyres) in a dangerous condition
CU30 Using a vehicle with defective tyres
CU40 Using a vehicle with defective steering
CU50 Causing or likely to cause danger by reason of load or passengers
CU80 Breach of requirements as to control of the vehicle, mobile telephone etc.
- SP10 Exceeding goods vehicle speed limit
SP20 Exceeding speed limit for type of vehicle (excluding goods or passenger vehicles)
SP30 Exceeding statutory speed limit on a public road
SP40 Exceeding passenger vehicle speed limit
SP50 Exceeding speed limit on a motorway
SP60 Exceeding speed limit offence
- MS10 Leaving a vehicle in a dangerous position
MS40 Driving with uncorrected defective eyesight or refusing to submit to a test
MS70 Driving with uncorrected defective eyesight
MS80 Refusing to submit to an eyesight test
MS90 Failure to give information as to identity of driver, etc.
MW10 Contravention of special road regulations (excluding speed limit)
- PC10 Undefined contravention of pedestrian crossing regulations
PC20 Contravention of pedestrian crossing regulations with moving vehicle
PC30 Contravention of pedestrian crossing regulations with stationary vehicle
- TS10 Failing to comply with traffic light signals
TS20 Failing to comply with double white lines
TS30 Failing to comply with a „stop“ sign
TS40 Failing to comply with direction of a constable or traffic warden
TS50 Failing to comply with traffic sign (excluding “stop” sign, traffic lights or double white lines)
TS60 Failing to comply with school crossing patrol sign
TS70 Undefined failure to comply with a traffic direction sign
- Aiding, abetting, counselling or procuring- offences as coded above.
 - Causing or permitting- offences as coded above.
 - Inciting- offences as coded above.

MAJOR TRAFFIC OFFENCES

AC10	Failing to stop after an accident
AC20	Failing to give particulars or to report an accident within 24 hours
AC30	Undefined accident offences
BA10	Driving while disqualified by order of the court
BA30	Attempting to drive while disqualified by order of the court
CD10	Driving without due care and attention
CD20	Driving without reasonable consideration for other road users
CD30	Driving without due care and attention or without reasonable consideration for other road users
CD40	Causing death through careless driving when unfit through drink
CD50	Causing death through careless driving when unfit through drugs
CD60	Causing death through careless driving with alcohol above limit
CD70	Causing death by careless driving then failing to supply a specimen for analysis
CD71	Causing death by careless driving then failing to supply a specimen for drug analysis
DD40	Dangerous driving
DD60	Manslaughter or culpable homicide while driving a vehicle
DD80	Causing death by dangerous driving
DR10	Driving or attempting to drive with alcohol level above limit
DR20	Driving or attempting to drive while unfit through drink
DR30	Driving or attempting to drive then failing to supply a specimen for analysis
DR31	Driving or attempting to drive then failing to supply a specimen for drug analysis
DR40	In charge of a vehicle while alcohol level above limit
DR50	In charge of a vehicle while unfit through drink
DR60	Failure to provide a specimen for analysis in circumstances other than driving or attempting to drive
DR61	Refusing to give permission for analysis of a blood sample that was taken without consent due to incapacity in circumstances other than driving or attempting to drive
DR70	Failing to provide specimen for breath test
DR80	Driving or attempting to drive when unfit through drugs
DR90	In charge of a vehicle when unfit through drugs
IN10	Using a vehicle uninsured against third-party risks
LC20	Driving otherwise than in accordance with a licence
LC30	Driving after making a false declaration about fitness when applying for a licence
LC40	Driving a vehicle having failed to notify a disability
LC50	Driving after a licence has been revoked or refused on medical grounds
MS50	Motor racing on the highway
MS60	Offences not covered by other codes
UT50	Aggravated taking of a vehicle
	<ul style="list-style-type: none">• Aiding, abetting, counselling or procuring offences as coded above.• Causing or permitting offences as coded above.• Inciting offences as coded above.

ANNEX E

MATRIX OF PENALTIES FOR OFFENCES COMMITTED WITHIN A PERIOD OF THREE ROLLING YEARS

	<u>1st Offence following warnings (where appropriate).</u>	<u>2nd Offence</u>	<u>3rd & Subsequent Offences</u>	<u>Comments</u>
1. Failure to wear badge so as to be plainly and distinctly visible	1-3 day suspension	4-10 day suspension	Referral to the L&PPC*	Additional days may be added if the badge is not being worn at night and/or is not in the vehicle and immediately available for wearing
2. Breach of dress code	1-3 day suspension	4-10 day suspension	Referral to the L&PPC*	The penalty may be increased if the breach of dress code compromises public safety. (e.g.) unsuitable footwear
3. Improper use of rank/ leaving vehicles unattended	1-3 day suspension	4-10 day suspension	Referral to the L&PPC*	
4. Uncivil behaviour	1-3 day suspension	4-10 day suspension	Referral to the L&PPC*	
5. Eating, drinking or using a vaping device whilst driving a licensed vehicle	1-3 day suspension	4-10 day suspension	Referral to the L&PPC*	This includes any devices which are similar to electronic smoking devices
6. Failure to notify of change of address	1-3 day suspension	4-10 day suspension	Referral to the L&PPC*	
7. Breach of road traffic legislation	1-7 day suspension	8-14 day suspension	Referral to the L&PPC*	
8. Overcharging	3-21 day suspension depending upon circumstances	3-21 day suspension depending upon circumstances	Referral to the L&PPC*	
9. Use of mobile phone whilst driving a licensed vehicle	3-21 day suspension depending upon circumstances	3-21 day suspension depending upon circumstances	Referral to the L&PPC*	
10. Failure to notify a Conviction, Caution or Fixed Penalty Notice or other policy notification requirements.	3-21 day suspension depending upon circumstances	3-21 day suspension depending upon circumstances	Referral to the L&PPC*	This includes all convictions, cautions and fixed penalty notices etc. and other policy notification requirements with the exception of the requirement in 6 above.
11. Failure to pick up passengers on time	3 - 21 days suspension depending upon circumstances	3-21 days suspension depending upon circumstances	Referral to the L&PPC*	Each event will be considered on its own merit. Additional days may be added where the customer is disabled or otherwise vulnerable.

12	Refusal to take a fare without reasonable cause	3 - 21 days suspension depending upon circumstances	3 - 21 days suspension depending upon circumstances	Referral to the L&PPC*	Each event will be considered on its own merit. Additional days may be added where the customer is disabled or otherwise vulnerable or the matter is of a discriminatory nature
13	Failure to maintain subscription to DBS Online Update Service	3 - 21 days suspension depending upon circumstances	3 - 21 days suspension depending upon circumstances	Referral to the L&PPC*	It is essential that the Licensing Authority is kept fully informed and updated of all licence holders' DBS status to ensure public safety.

*Licensing & Public Protection Committee.

Notes:

- The Council's general approach for dealing with those who fail to meet the reasonable standards expected of a licensed driver and for some minor contraventions of conditions will initially be by way of a verbal warning and then written warning where it is appropriate to do so.
- The penalties shown are generally meant to be the maximum penalty for a particular offence. The penalty may be reduced where for example, a full and frank admission is made at the earliest opportunity. The penalty may be increased where there are aggravating factors.
- This list of penalties is not exhaustive and other offences and/or contraventions will be dealt with accordingly.
- Other offences will be dealt with in a manner which is commensurate with the above Penalty Matrix
- Referral to the Licensing and Public Protection Committee (L&PPC) remains an option at any time.
- A driver who is prosecuted for an offence may subsequently be referred to the L&PPC upon conviction of that offence.
- Significant matters may result in revocation at any time.
- Legislation allows for prosecution of some offence as an option at any time.
- Officers have delegated powers to suspend or revoke licences as well as to refer matters to the L&PPC or for prosecution where appropriate.

VEHICLE EMISSIONS AND CARBON NEUTRALITY:

Note: The Policy changes on vehicle emissions and the licensing of Electric and Hybrid vehicles may be subject to future review and change because of unforeseen circumstances which may affect the vehicle market.

Electric and Hybrid Vehicles:

All Electric and Hybrid saloon type vehicles which are presented as new to licensing, will be no more than 7 years old. The Council will however, rely on other aspects of their taxi policy to ensure that all such vehicles which are presented as new to licensing, are of a sufficiently high standard.

These vehicles will be subject to 2 full taxi inspections per annum at the Council's Hawks Green Depot.

With immediate effect, all Electric and Hybrid wheelchair accessible type vehicles which are presented as new to licensing, will be no more than 10 years old . The Council will however, rely on other aspects of their taxi policy to ensure that all such vehicles which new to licensing are of a sufficiently high standard.

These vehicles will be subject to 3 full taxi inspections per annum at the Council's Hawks Green Depot.

Vehicle Emissions and Carbon Neutrality

With effect from 1 April 2024, the Council will stop licensing vehicles which are of Euro 4 emissions standard and are powered solely by petrol, diesel or liquified petroleum gas (LPG) internal combustion engines (ICE). This will not affect electric vehicles, hybrid vehicles or those using hydrogen fuel.

From 1 April 2025, until 31 March 2026, the Council will accept renewal applications for the last time in connection with vehicles which are of the Euro 5 emissions standard and are powered solely powered by petrol, diesel or liquified petroleum gas internal combustion engines. This will not affect electric vehicles, hybrid vehicles or those using hydrogen fuel.

From 1 April 2026, the Council will stop the new to licensing of vehicles which are powered solely by petrol, diesel or liquified petroleum gas internal combustion engines. This will not affect the renewal of ICE vehicles already licensed by the Council. Further, it will not affect the new to licensing or renewal licensing of electric vehicles, hybrid vehicles or those using hydrogen fuel.

On 31 March 2030, the Council will stop the licensing of vehicles which are powered solely by petrol, diesel or liquified petroleum gas internal combustion engines. This will not affect electric vehicles, hybrid vehicles or those using hydrogen fuel.

DRESS CODE

Licensed drivers are required to maintain a high standard of personal hygiene & cleanliness

- (i) Drivers shall, as a minimum, wear a shirt or blouse or "T" shirt and tailored shorts, trousers, skirt or denim jeans. The shirt or blouse or "T" shirt shall cover the shoulders and be capable of being worn inside the shorts, skirt or trousers. Shirts or blouses worn as open neck shirts or blouses shall have no more buttons open than the collar button and the next button. "T" shirts, sweat tops, jumpers, shall not carry any words or pictures except for any name (including any logo) of any:-
- a) Manufacturer and/or
 - b) Operator/Proprietor and/or
 - c) The name of the driver
- "Tailored" in respect of shorts and trousers shall be defined as having a fly fastening and capable of being worn with a belt on the waist. In addition, shorts and trousers shall be of one colour with the exception of contrasting detail and piping which will be allowed. To avoid any doubt, tracksuits and denim shorts shall not be permitted.
- (ii) For safety reasons footwear for all drivers shall fit around the heel by an enclosed or sling back. To avoid any doubt, mules or beach "flip flops" shall not be permitted.
- (iii) All clothing shall be clean, free from holes, rips and snags and fastenings shall be in good order.
- (iv) Drivers shall not wear any item of clothing or apparel which exhibits any of the following:
- Offensive language
 - References to drunkenness or the use of recreational drugs
 - Anything racist, sexist, discriminatory or otherwise offensive
 - Any advertising that does not conform to the relevant codes of advertising practice.
- (v) The person responsible for maintenance shall carry in the relevant vehicle an overall or similar item of protective clothing which shall be worn over clothing in the event of any vehicle maintenance being undertaken whilst away from the base.
- (vi) The use of electronic smoking devices or similar whilst driving a licensed vehicles is prohibited. Further, their use is discouraged within licensed vehicles and drivers should treat them in the same way as smoking tobacco.

Some examples of unacceptable standards of dress would include bare chests or shoulders, dirty, ripped or damaged clothing.

RULES OF THE RANK

The driver of a hackney carriage shall, when plying for hire in any street and not actually hired,

- (a) Proceed with reasonable speed to one of the stands fixed by the byelaw in that behalf
- (b) If a stand, at the time of his arrival, is occupied by the full number of carriages authorized to occupy it, proceed to another stand;
- (c) On arrival at a stand not already occupied by the full number of carriages authorized to occupy it, station the carriage immediately behind the carriage or carriages on the stand and so as to face in the same direction;
- (d) From time to time when any other carriage immediately in front is driven off or moved forward cause his carriage to be moved so as to fill the place previously occupied by the carriage driven off or moved forward.
- (e) For the avoidance of doubt, private hire vehicles must not park on or near a taxi rank; it is an offence to ply for hire in a private hire vehicle.

GUIDANCE FOR DRIVERS ON THE USE OF TAXI RANKS

Standing or plying for hire from the taxi ranks helps maintain order and public safety. Proper ranking of vehicles allows for both customers and taxis to queue up in an orderly fashion so that public hiring's can take place safely.

Standing and plying for hire on public highway near to taxi ranks is not encouraged and may be construed as queue jumping and gaining an unfair advantage over other hackney carriages. Furthermore, it confuses members of the public as to where the official taxi ranks are and this may encourage unlicensed taxis to operate in those areas.

There is nothing to stop a member of the public flagging down a passing hackney carriage where the roof sign is illuminated.

Engines on licensed vehicles must be stopped whilst standing still on the taxi ranks. Failure to do so may result in action being taken in accordance with sections 3 and/or 7 of the Matrix of Penalties for Offences given as Annex E to this policy.

FARES FOR HACKNEY CARRIAGE JOURNEYS

For hackney carriage vehicles (taxis) the law requires that:

- 1) For all journeys which start and finish within the Cannock Chase District, the fare charged must be no more than the fee displayed on the meter. In consequence, the meter must be used for all journeys which start and finish within the Cannock Chase District. This is the case even if they are pre-booked journeys. To charge a passenger more than is displayed on the meter is an offence.
- 2) For journeys ending outside the Cannock Chase District, the law does not permit a taxi driver to charge more than the fare shown on the meter (which is calculated on the Fare Scale Card provided in each Taxi) unless the journey ends outside the District boundary and the passenger and the driver have agreed a different fare BEFORE the journey commences. It remains good practice to turn the meter on, even for this type of journey.
- 3) Where hackney carriage vehicles act as private hire vehicles because the journey starts and finishes outside the Cannock Chase District, the fare for that Journey can be agreed in advance. Under these circumstances, it is not necessary for a hackney carriage vehicle acting as a private hire vehicles to use the meter. A receipt for any of the above journeys must always be provided if it is asked for by the passenger.

IDLING VEHICLES CONTRIBUTE TO AIR POLLUTION**Put a stop to idling engines**

Running your engine unnecessarily while your vehicle is stationary pollutes the environment. And it's against the law on a public highway.

What are the problems?

An idling engine can produce up to twice as many exhaust emissions as an engine in motion. Exhaust emissions contain a range of air pollutants such as carbon monoxide, nitrogen dioxide, and particulate matter. These can affect the air quality of the surrounding environment and the air we breathe.

Why is idling illegal?

Vehicle idling is an offence against the Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002. The law states that it is an offence to idle your engine unnecessarily when stationary. If you fail to turn your engine off after being spoken to you may be issued with a fixed penalty notice.

Who does the legislation affect?

The legislation covers all vehicles on public roads including buses, taxis and private cars. It does NOT apply to vehicles moving slowly due to road works or congestion; vehicles stopped at traffic lights; vehicles under test or repair; or defrosting a windscreen.

What can you do?

- You can do your bit by switching off the engine if it looks like you could be waiting for more than a minute or two. Modern cars use virtually no extra fuel when they're re-started without pressing the accelerator so you won't waste lots of fuel switching the engine back on.
- Turn off your engine when stationary, for example - on a road at a shop, school, taxi rank and stands, whilst unloading / loading or when parked.
- Avoid idling whilst waiting in car parks, petrol stations, lay-bys, "set down" and "pick up points".

What are the benefits?

- By turning off your engine you improve air quality, reduce fuel costs and comply with the law.
- Reducing air pollutants can help cut heart disease, reduce lung cancer and prevent asthma attacks.

Does starting an engine cause more pollution than idling?

No. Turning off an engine and restarting it after a minute or two (or longer) causes less pollution than keeping the engine idling and uses less fuel.

Does the engine need to stay on to keep the battery fully charged?

No. Modern batteries need less engine running time.

When it's cold I need to keep my vehicle warm or warm up my engine?

It can take up to an hour for an engine to cool down. Turning off your engine, but keeping the ignition and the fan blowing will provide warm air for some time. If you are concerned about passenger comfort, keep the engine idling to an absolute minimum in warm and cold weather.

Don't catalytic converters need to be hot to work properly?

Yes, but an idling engine does not keep a catalytic converter warm. They retain their heat for about 25 minutes after an engine is switched off anyway. Some useful Eco Driving Tips can be found at: <http://www.energysavingtrust.org.uk/Travel/Driving>

GUIDANCE ON PASSENGER SAFETY IN LICENSED VEHICLES

Cannock Chase Council is committed to ensuring that residents remain safe when using licensed vehicles. The following advice is offered to for anyone planning to use taxis or a pre booked private hire vehicles.

Do I use a Taxi or Private Hire Vehicle?

Hackney carriage vehicles or "Taxis"

You will find a taxi standing on one of the local taxi ranks and the driver can be approached at any time as they do not need to be pre-booked. Taxis carry a roof sign which lights up at night which says TAXI. The price you pay is shown on the taxi meter which is usually on the front dashboard of the vehicle.

If you take a taxi during the early hours of the morning (after you have been to a late night venue or nightclub) then you may be asked for some payment upfront. This is acceptable practice by the driver.

If you are travelling wholly within the Cannock Chase Council area, the cost of journey will be displayed on the taxi meter which shows the running total of your journey. You should not be charged any more than is shown on the meter. If you are travelling outside the area then you can agree the fare with the driver and the meter does not have to be used. However, it is still good practice for the driver to do so.

Taxis which display the **TAXI** roof light can also be hailed or approached in the street but it is safest to go to a taxi rank.

Taxis can also be pre booked if you prefer to do so. Many of the larger companies will now text you to say that your taxi is waiting outside. The text includes details of your taxi such as the make model and colour of the vehicle as well as its registration number.

Private Hire Vehicles or "Minicabs"

Private hire vehicles **MUST** be booked in advance and as long as your journey is pre booked, you can arrange for your local operator to drop you off or pick you up anywhere.

In the Cannock Chase area, private hire vehicles do not carry a roof sign but some neighbouring authorities do require their private hire vehicles to carry a roof sign.

You should only approach an un-booked vehicle if the roof sign bears the words "TAXI"

If the roof sign has other wording or a telephone number on it then you should not approach the driver unless you have pre-booked the vehicle. If you get into a PHV which is not pre-booked, neither you nor the driver will be insured and the driver is committing an offence.

Many of the larger companies will now text you to say that your private hire vehicle is waiting outside. The text includes details of your vehicle including the make and colour and the vehicle registration number.

Passengers are encouraged to pre book vehicles where ever possible and arrange to be picked up and dropped off in a safe place. This will help keep you safe in the hands of properly licensed drivers and vehicles and reduce the possibility of you being picked up by unlicensed and/or uninsured drivers and vehicles.

What else should I do or look out for?

1. **Ensure that the driver is wearing a badge.** S/he should be wearing it so as to be clearly visible. It should not be hidden under clothing such as a jacket, body warmer or jumper. Where possible vehicles should be approached from the front so that the face of the driver and the fact that he s/he is wearing a badge can be clearly seen.
2. **Note the number of the vehicle you are entering.** The licence number is displayed on a licence plate at the rear of the vehicle and on the square card style licence plate in the front windscreen of the vehicle. This interior plate displaying the licence number can generally be found in the bottom left hand corner of the windscreen
3. **Sit in the rear of the vehicle behind the driver.**
4. **Never accept a lift from a stranger in a car.**
5. **Inform somebody else of the journey you are taking.**
6. **Arrange to be picked up and dropped off in a safe place.**
7. **Wear your seatbelt.** It is your responsibility to ensure you are safely strapped into the seatbelt. The driver does not always need to wear his seatbelt so do not follow his lead.
8. **Only hire taxis from a taxi rank.** There are 3 within the Cannock Chase area. Stafford Road, Cannock (Outside the College/Innovation Centre) , Anglesey Street, Hednesford (outside Weatherspoon) Bees Lane, Elmore Lane, Rugeley, (near the Bus Station)
9. **Ask for a receipt from the driver.** The driver has a duty to provide you with a receipt if asked. If there is a dispute over a fare or the price you are asked to pay then obtain a receipt and contact the Council's Licensing Unit
10. **Do not engage in conversations about your home life or private life.** Drivers are advised not to do this and you will be helping them if you refrain.
11. **Check that you have left nothing in the vehicle when you get out.**
12. **Ask the driver to comply with your reasonable requests.** You may ask the driver to slow down or stop drinking /smoking/ using a mobile phone whilst you a passenger in the vehicle. If you remain unhappy then report the driver to the Council.
13. **Compliment the driver on his actions if it is appropriate to do so.**

Cannock Chase Council's licensing officers help make sure that licensed drivers and vehicles comply with safety requirements. If you have cause to complain about a taxi, private hire vehicle or its driver then information on how to feedback compliments, comments or complaints about a taxi, private hire vehicle or its driver in Cannock Chase is given in Annex L to this policy.

HOW TO COMPLIMENT, COMMENT OR COMPLAIN ABOUT A LICENSED DRIVER OR VEHICLE

Information on how to feedback compliments, comments or complaints about a taxi, private hire vehicle or its driver in Cannock Chase.

How to compliment, comment or complaint

All complaints must be sent in writing to:

Licensing Unit,
Cannock Chase District Council,
PO Box 28,
Beecroft Road,
Cannock,
Staffordshire,
WS11 1 BG.
Phone 01543 462621
Email: licensingunit@cannockchasedc.gov.uk

A "report it" facility is available on the Council's website at www.cannockchasedc.gov.uk

The Licensing Unit can investigate complaints such as:

- Overcharging
- Refusal to hire
- Rudeness/verbal abuse
- Journey routes
- Physical makeup of vehicle (e.g. cleanliness)
- Safety of vehicle (e.g. seat belts in working order.)

Complaints about matters such as dangerous driving, assault or theft should be reported to the Police as well as the Council's Licensing Unit.

Information you will need to supply:

Where possible you should include:

- A description of the incident
- The driver's badge number (if possible)
- The plate number and/or registration number of the vehicle
- The date and time of the incident and journey details (to and from)
- Other passengers present
- The name of the taxi company concerned
- Your contact details

Generally, complaints are dealt with by the licensing officers who will take appropriate action once the investigation is complete.

Serious complaints which may result in action being taken through the courts will require witness statements from all those present during the incident.

If you do not wish to make a witness statement, the complaint is unlikely to go to court and may be dealt with in a less formal manner.

FAIR PROCESSING NOTICE

HOW WE USE YOUR PERSONAL INFORMATION:

At Cannock Chase District Council we take your privacy seriously and will only keep and use your personal information for reasons that the law requires or allows. We are a data controller for the personal information we hold about you in relation to the processing and renewals of your Licences. In order to comply with data protection legislation, we want to be sure you understand how we use this information.

The purpose for which your data will be used is to establish your identity and other necessary information about you which will help us determine your fitness, propriety and suitability to hold a licence or other authorisation with this authority.

If you are a hackney carriage/private hire driver, we may also use your data to enable the maintenance of a national revocations and refusals register (NR3) to strengthen hackney carriage / private hire vehicle licensing for the benefit and safety of passengers and drivers.

The introduction of this NR3 register will help other licensing authorities to make decisions on whether or not you are a fit and proper person to hold a licence with that authority. This is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the licensing authority.

The recipients or categories of recipients of the personal data in the case of the NR3 National Register of Refusals or Revocations will be the National Anti-Fraud Network and Licensing Authorities

The following is a generic, non-exhaustive list of relevant legislation which may apply to your particular licensing application or renewal. The information we collect about you will permit us to process your application in compliance with the legislation.

- Licensing Act 2003
- Gambling Act 2005
- The Local Government (Miscellaneous Provisions) Act 1976 & 1982
- The Town Police Clauses Act 1847
- Animal Welfare Act 2006
- Dangerous Wild Animals Act 1976
- House to House Collections Act 1939
- Scrap Metal Dealers Act 2013

Cannock Chase District Council is required by law to protect the public funds it administers. We may share information provided to us with other agencies involved in licence processing or licensing enforcement where the law requires or permits us to do so.

We may share information about you for the purposes of auditing and administering public funds, preventing and detecting fraud and the prevention and detection of crime. Otherwise, we will only share your data if you ask us to. We only keep this data for the time specified in our retention schedule or as required by law. In the case of your personal data which is held on the NR3 data base the retention period will be 25 years

Data protection law provides you with certain rights, however not all of these rights will be available to you in all situations, particularly where we process your information as part of one of our statutory duties. Where we are under a legal duty to use data for a particular purpose you will not have the right to prevent it being used in that way.

A full list of the rights you may have, under data protection law, is given in the 'Your Rights' section of this webpage. For specific enquiries regarding personal data which we process you can contact the Data Protection Officer on email: infomanager@cannockchasedc.gov.uk or at Civic Centre, PO Box 28, Beecroft Road, Cannock, Staffordshire, WS11 1BG.

If you wish to complain about how your personal information has been handled by Cannock Chase District Council then please contact the Data Protection Officer in the first instance using the details above. If you are not satisfied you can submit a formal complaint to the Council via our website <http://www.cannockchasedc.gov.uk/council/about-council/customer-feedback-help-us-get-it-right>

Finally you can complain to the Information Commissioner's Office at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, Tel: 0303 123 1113 or you can visit their website at www.ico.org.uk You can also find details of how we handle your personal information by visiting www.cannockchasedc.gov.uk/DataProtection