

Hackney Carriage and Private Hire Vehicle Licensing Policy

Contents

Contents.....	1
1. Feedback on licensees	2
2. Driving Licence Requirements	3
3. Medical Certification	3
4. DBS Certification	3
5. Certificates of Good Character/Conduct	3
6. Assistance Dogs.....	4
7. Data Protection	4
8. Ultra-Low Emission Vehicles	4
9. Hackney Carriage Vehicle Licence Requirements.....	5
9.1 Currently Approved Hackney Carriage Vehicle Models	6
9.2 Hackney Carriage Vehicle Standards	7
10. Private Hire Vehicle Licence Requirements.....	7
10.1 Private Hire Vehicle Requirements	8
10.2 Private Hire Vehicle Signage Requirements	10
2.3 Private Hire Vehicle Licence Replacements	10
11. Vehicle Licence Proprietor Transfers.....	11
12. Wheelchair Accessible Vehicles	11
13. Driver Safety Enclosures	12
14. Private Hire Vehicle Plate and Badge Exemption Policy	13
14.1 Exemption Requirements.....	14
15. Stretched Limousine Licensing.....	15
16. Ultra-Low Emission Vehicles	15
17. Advertising Policy	16
18. Private Registration Numbers.....	16
19. Carriage of Under 3s	17

1. Feedback on licensees

There are millions of journeys undertaken in licensed vehicles every year and almost all of these take place without issue.

If you are unhappy with your journey, you can make a complaint at <https://www.wolverhampton.gov.uk/taxi-complaints> or by calling 01902 55 TAXI.

Notice for Hackney Carriage Passengers

What you can expect from the taxi trade and what the taxi trade can expect from you
The driver will:

- Drive with due care and courtesy towards the passenger and other road users.
- Use the meter within the licensed area, unless the passenger has agreed to hire by time, and as long as this is less than the metered fare.
- If using the meter, not start the meter until the passenger is seated in the vehicle.
- If travelling outside the licensed area, agree the fare in advance. If no fare has been negotiated in advance for a journey going beyond the licensing area, then the driver must adhere to the meter.
- Take the most time-efficient route, bearing in mind likely traffic problems and known diversions, and explain any diversion from the most direct route.

The passenger will:

- Treat the vehicle and driver with respect and obey any official notices (for example, in relation to eating or drinking in the vehicle).
- Ensure they have the means to pay the fare before travelling. If wishing to pay by credit or debit card or to stop en route to use a cash machine, check with the driver before setting off.
- Be aware of the fare on the meter and make the driver aware if it is approaching the limit of their financial resources.
- Be aware that the driver is likely to be restricted by traffic regulations in relation to where they can stop the vehicle.

Notice for Private Hire Vehicle passengers

What you can expect from the private hire vehicle driver and what the private hire vehicle driver can expect from you

The driver will:

- Ensure that the passenger has pre-booked and is aware of the estimated fare before setting off.

- Drive with due care and courtesy towards the passenger and other road users.
- Take the most time-efficient route, bearing in mind likely traffic problems and known diversions, and explain if requested any diversion from the most direct route.

The passenger will:

- Treat the vehicle and driver with respect and obey any notices (for example, in relation to eating or drinking in the vehicle).
- Ensure they have the means to pay the fare before travelling. If wishing to pay by credit card or debit card or to stop en route to use a cash machine, check with the driver before setting off.
- Be aware that the driver is likely to be restricted by traffic regulations in relation to where they can stop the vehicle.

2. Driving Licence Requirements

All driver licence applicants must have a DVLA driving licence evidencing their entitlement to drive category B1 vehicles for at least 12 months.

3. Medical Certification

All applicants for a driver licence must provide a completed medical certificate, including the DVLA D4 form, certifying them to Group 2 standards.

4. DBS Certification

- All driver licence applicants must provide a full, enhanced DBS certificate (with barred list checks) that is subscribed to the Update Service. DBS certificates not subscribed to the Update Service will result in licences being issued for six months only.
- All vehicle and operator licence applicants must provide a basic DBS certificate dated within the last year. A new certificate is required to be provided on the licence anniversary.

The Council requires the original certificate to be presented.

5. Certificates of Good Character/Conduct

Where a licence applicant has been outside of the UK for three or more months continuously since the age of 18, a 'Certificate of Good Character' or 'Certificate of Good Conduct' or equivalent is required.

Where documents are not in English, a notarised translation would need to be provided by the applicant, at their own expense. Applicants who are unable to obtain a Certificate must explain why and provide references from individuals/bodies who

can confirm their conduct for their time in the country. It is recognised that this will not always be practicable, such as in cases where:

- countries will not issue a certificate unless the individual has been resident for six months or more.
- countries will not issue a certificate for the purpose of taxi licensing, others not at all.
- individuals were out of the country for three months, but not in one single country for three months.
- individuals provide evidence that they have been granted status relating to asylum/refugee in relation to the specific country against which they are claiming.

6. Assistance Dogs

An assistance dog is not a pet, but a working service dog that has been certified by an organisation, that is a full member of Assistance Dogs International (ADI) or International Guide Dog Federation (IGDF), as trained or undergoing training to help a disabled person.

To evidence this, either the dog must be wearing an identifying harness/jacket or its owner must be carrying certifying documents.

Emotional support dogs do not meet the legal definition of assistance dogs.

7. Data Protection

Under the Data Protection (Charges and Information) Regulations 2018, individuals and organisations that process personal data need to pay a data protection fee to the Information Commissioner's Office (ICO), unless they are exempt.

Private Hire Vehicle Operators and companies with licensed private hire vehicles are required to register with the ICO.

If other licensees, including drivers, are concerned that they need to be registered with the ICO, they should contact the Information Commissioner's Office on 0303 123 1113.

Any licensed vehicle with a CCTV camera or dashcam will be required to be registered with the ICO.

8. Ultra-Low Emission Vehicles

An ultra-low emission vehicle emits <75g CO₂/km.

There are no age limits on ultra-low emission vehicles.

If a vehicle's V5 certificate shows the fuel type as 'Electricity' or 'Fuel cell electric' and the CO2 emissions as 0 or blank, the vehicle is a zero-emission vehicle. Vehicles using other fuel types with a blank or 0 listing for CO2 emissions will require additional documentation from the proprietor on the vehicle's CO2 emissions. This affects most imported vehicles.

9. Hackney Carriage Vehicle Licence Requirements

A Hackney Carriage Vehicle Licence will only be granted providing the vehicle meets the following requirements and standards upon inspection.

New applications can only be made for new vehicles, with no more than 500 delivery miles.

The vehicle may not be licensed as a Hackney Carriage or Private Hire Vehicle by any other licensing authority.

The vehicle must be brand new at point of first application and no older than 15 years and 6 months on renewal, unless it is an ultra-low emission vehicle. Vehicles aged 10 years and over will require a second MOT certificate after 6 months and another compliance check. Vehicles aged 16 years and over will require an exceptional condition assessment (see website for current cost).

The vehicle must be wheelchair accessible. Wheelchair accessible vehicles (WAVs) allow a passenger to enter, travel in and exit a vehicle whilst remaining seated in a reference standard wheelchair (700mm x 1,200mm).

The vehicle must have been built to have no more than 9 seats, including the driver's seat. The vehicle may be insurance category S (formerly Cat C) or category N (formerly Cat D), provided the vehicle has been repaired and an MOT test passed. Licences will not be granted for applications where the vehicle is insurance category A or B.

Left-hand drive vehicles registered in the UK are permitted, but a 'European Certificate of Conformity' or an 'Individual Vehicle Approval' will need to be provided. You'll also need to prove that the insurer has been informed that the vehicle is a left-hand drive. Prior to your inspection, you will need to have headlamp adapters installed, so that the lights do not distract oncoming drivers.

Applications will only be accepted from proprietors of vehicles. Proprietor includes a part-proprietor and, in relation to a vehicle which is the subject of a hiring agreement or hire-purchase agreement, means the person in possession of the vehicle under that agreement. Permission letters are not accepted, as permission is not proprietorship.

Where an internal screen is fitted, hearing loops must be installed to support passengers who are deaf or hard of hearing to communicate with drivers.

The manufacture date of any tyres fitted to the vehicle (including the spare tyre) must be no more than ten years ago.

9.1 Currently Approved Hackney Carriage Vehicle Models

Citroen

- Dispatch HDI 120 9-S
- Dispatch L2 H1 Level 2
- Euro
- L7
- Relay L3 H2
- SVA Taxi

Clipper Automotive

- Clipper Cab

Fiat

- Eurocab
- Scudo
- TW200

Ford

- Procab
- Tourneo Custom
- Voyager VTC8

LEVC

- LEVC TX

LTI

- TX1
- TX2
- TX4

Mercedes

- MX7

- Vito

Nissan

- Dynamos
- Primastar
- Voyager

Peugeot

- Boxer 290
- E7
- E7 SE
- LC7

Volkswagen

- T5 Shuttle SE SWB 10

Requests will also be considered from any other vehicle if the vehicle has an illuminated taxi sign, a taxi meter and conference seating.

Every application must be made using the Hackney Carriage Vehicle licence application form and must be supplied with the following documents:

(a) One of the following:

- Vehicle registration document (all pages of the V5C)
- vehicle lease agreement permitting public hire

(b) Valid certificate of insurance or cover note showing cover for public hire purposes

(c) Current MOT test certificate issued no earlier than 10 days before the date of application

(d) Calibration certificate for new or replacement vehicles by the meter supplier

(e) Current [licence fee](#) – dependant on the age of the vehicle.

Once satisfied the vehicle application is complete and the appropriate requirements are met, the licence will be granted upon successful completion of a vehicle

compliance inspection to ensure the vehicle complies with the conditions of licence and standards below.

Applications for a Wolverhampton Hackney Carriage Licence:

<https://iapply.co.uk/taxilicensing/welcomehackney>

Applications for a South Staffordshire Hackney Carriage Licence:

<https://iapply.co.uk/taxilicensingsstaffs/welcomehackney>

9.2 Hackney Carriage Vehicle Standards

1. All internal fittings and fixtures i.e. carpets, seats, trims and seat cover should be clean and in good condition. Rips/tears in seat and broken trims should be replaced or repaired to a high standard before submitting the vehicle for inspection.

3. All external fitting i.e. wheel caps/discs, bumpers and trims should be fitted, clean and in good condition. Rusty/damaged metal bumpers or damaged plastic bumpers are not acceptable. An illuminated 'taxi' roof sign indicating when the taxi is for hire must be installed and kept in working condition.

4. The paintwork should be maintained to a high gloss finish and of a uniform colour free from scratches which expose the under primer or metal. It is advisable that if any paintwork is undertaken on the vehicle that it is done by a reputable garage to a high standard.

5. The body panels should be free of dents and all body panels should fit correctly. The excessive use of body filler and repairs that are of a poor standard are not acceptable.

6. No signs, notices, advertisements, plates, marks, numbers, letters, figures, symbols, emblems or devices whatsoever shall be displayed on, in, or from the vehicle except as may be required by any statutory provision (including byelaws). This includes the display of unauthorised transfers/stickers to the body or windows of the vehicle.

A Lifting Operations and Lifting Equipment Regulations 1998 (LOLER) certificate must be provided if the vehicle has a relevant tail-lift e.g. for wheelchair accessibility.

A Hackney Carriage Vehicle must also meet all the conditions of licence. You are advised to contact Licensing Services prior to making a new application to ensure all of those requirements are met.

10. Private Hire Vehicle Licence Requirements

The vehicle may not be licensed as a Hackney Carriage or Private Hire Vehicle by any other licensing authority.

The manufacture date of any tyres fitted to the vehicle (including the spare tyre) must be no more than ten years ago.

Private hire vehicles include executive cars, chauffeur services, limousines and some school and day centre transport services. A Private Hire Vehicle Licence will only be granted providing the vehicle meets the following requirements and standards upon inspection.

Applications will only be accepted from proprietors of vehicles. Proprietor includes a part-proprietor and, in relation to a vehicle which is the subject of a hiring agreement or hire-purchase agreement, means the person in possession of the vehicle under that agreement. Permission letters are not accepted, as permission is not proprietorship. Each Private Hire Vehicle [application must be made online](#) and supplied with the following documents:

(a) One of the following:

- Vehicle registration document (all pages of the V5C)
- vehicle lease agreement permitting private hire work

(b) Valid certificate of insurance or cover note showing cover for private hire and reward purposes.

(c) Current MOT test certificate issued no earlier than 10 days before the date of application.

(e) Current licence fee – dependant on age of the vehicle.

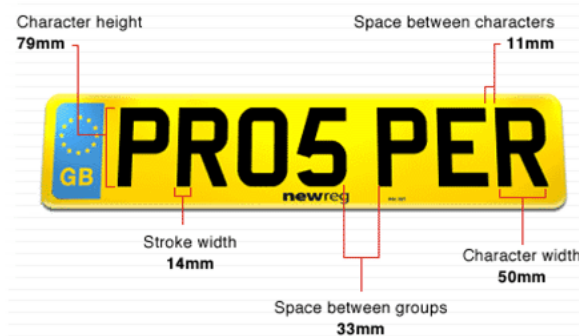
(f) If the applicant is not a driver or operator licensed by the Council, you must also provide a Basic DBS certificate through the [UK Government website](#). If the applicant is a company or partnership, each director and partner must provide a basic DBS certificate. The certificate must be dated within the 12 months prior to application. These can be completed before you apply and the certificate uploaded as part of this application or you can apply after submitting the application. If the DBS certificate contains information, a hearing may be required to be held to determine whether the individual is fit and proper to hold a licence, in consideration of the Council's '[Guidelines on Fitness and Propriety](#)', prior to the licence being granted.

Once satisfied the vehicle application is complete and the appropriate requirements are met, the licence will be granted upon successful completion of a vehicle compliance inspection to ensure the vehicle complies with the conditions of licence and standards below.

10.1 Private Hire Vehicle Requirements

- No older than 11 years and 6 months (vehicles are not plated past 12 years) unless it is an ultra-low emission vehicle.

- No more than 9 seats, including the driver's seat, unless the vehicle is a stretched limousine.
- No partition between the driver and passengers, unless it is a driver safety enclosure authorised by Licensing Services.
- Only manufacturers' factory fitted privacy glass will be permitted.
- The vehicle must display a legal registration number as shown of the logbook, which adheres to the official DVLA format of 11mm between each of the character and 33mm between the age identifier.



- Both internal and external facing cameras are permitted, however you must comply with the Taxi CCTV Policy available in the ['Downloads' section here](#).
- M1 Individual Vehicle Approval (IVA).
- The vehicle may be insurance category S (formerly Cat C) or category N (formerly Cat D), provided the vehicle has been repaired and an MOT test passed. Applications from insurance category A or B are prohibited.
- Left-hand drive vehicles registered in the UK are permitted, but a 'European Certificate of Conformity' or an 'Individual Vehicle Approval' will need to be provided. You'll also need to prove that the insurer has been informed that the vehicle is a left-hand drive. Prior to your inspection, you will need to have headlamp adapters installed, so that the lights do not distract oncoming drivers. Please note, vehicles that have a single side-loading access for wheelchairs would normally be refused, as it would require wheelchair users to use the carriageway to enter the vehicle, rather than getting in from the pavement. This would put them at much greater risk of a road traffic accident.
- A Lifting Operations and Lifting Equipment Regulations 1998 (LOLER) certificate must be provided if the vehicle has a relevant tail-lift.
- Where an internal screen is fitted, hearing loops must be installed to support passengers who are deaf or hard of hearing to communicate with drivers.

10.2 Private Hire Vehicle Signage Requirements

The following signage, provided to applicants by Licensing Services, is required at all times:

1. The external licence plate, permanently and securely fastened to the rear of the vehicle.
2. Approved passenger information stickers, at the bottom of each rear passenger window, indicating that the vehicle must be pre-booked and smoking is not permitted inside.

Where an exclusive relationship exists between the vehicle proprietor, driver and operator, operator signage may be displayed on the vehicle. The expected format of this is sticker branding (no larger than A4 in size) on the rear of the vehicle. Magnetic signage will not be approved. Signage must be approved by Licensing Services before it is displayed.

The display of the words "taxi" or "cab" whether singular or plural or any word of similar meaning or appearance to any of those words, whether alone or as part of another word, is prohibited on this signage. 'Minicab', 'kab', 'taksi', 'tacsai', 'tagsaidh' and any other homophones (words spelt differently that sound the same) or translations are included in this prohibition. This prohibition remains even where it is the legal/business/trading name of the Private Hire Vehicle Operator.

- Roof signage is prohibited.

2.3 Private Hire Vehicle Licence Replacements

If you have purchased a new vehicle and wish to keep the Private Hire Vehicle Licence number that you currently have, you can submit a renewal application for that licence number, with the details of the new vehicle that you wish to licence.

There will be no reduction in the cost and you cannot transfer any of the life of the previous licence to the new vehicle. However, if you have six months or more remaining on the current Private Hire Vehicle Licence, you will qualify for a free fast-track of your application and it will be processed within two working days.

Upon application, the existing Private Hire Vehicle Licence number must be submitted, so we can identify it is a replacement application. The applicant must be the same as the existing proprietor of the current vehicle licence. If you wish to transfer the vehicle to a new proprietor, see Section 11 below.

The application will be subject to the normal requirements details in Section 10.1 and the old Private Hire Vehicle Licence plate will need to be returned, before the new licence plate is issued.

11. Vehicle Licence Proprietor Transfers

A licensed Hackney Carriage Vehicle or Private Hire Vehicle can be sold and transferred, providing the vehicle complies with the conditions of licence. Licences which are suspended or revoked, including under appeal, may not be transferred.

The vehicle proprietor must request to transfer within fourteen days of the sale, specifying the name and address of the person to whom the hackney carriage or private hire vehicle has been transferred.

The transfer form can be downloaded from our website

<https://www.wolverhampton.gov.uk/licences/taxi-licences/taxi-licence-faqs>

The completed form will need to be returned to us via email to Vehicle.lic@wolverhampton.gov.uk along with

(a) One of the following:

- a. Vehicle registration document (all pages of the V5C)
- b. vehicle lease agreement permitting hire and reward

(b) Valid certificate of insurance or cover note showing cover for public or private hire purposes (as appropriate to the vehicle licence) in the new proprietor's name.

(c) If the new proprietor is not a driver or operator licensed by the Council, you must also provide a Basic DBS certificate through the [UK Government website](#). If the new proprietor is a company or partnership, each director and partner must provide a basic DBS certificate. The certificate must be dated within the 12 months prior to transfer. The licence will not be transferred without a valid certificate being provided. If the DBS certificate contains information, a hearing may be required to be held to determine whether the individual is fit and proper to hold a licence, in consideration of the Council's '[Guidelines on Fitness and Propriety](#)', prior to the transfer of licence.

We will then contact the new keeper to make payment (currently £25) and receive their licence.

12. Wheelchair Accessible Vehicles

Wheelchair accessible vehicles (WAVs) allow a passenger to enter, travel in and exit a vehicle whilst remaining seated in a reference standard wheelchair (700mm x 1,200mm).

All Hackney Carriages are WAVs.

Section 165 of the Equality Act 2010 imposes legal duties on the driver of a designated Hackney Carriage and Private Hire Vehicle which has been hired by or for a disabled person in a wheelchair, or by another person who wishes to be accompanied by a disabled person who is in a wheelchair.

The key components of Section 165 are summarized below:

- Hackney carriage/private hire drivers are required to carry the passenger while in the wheelchair
- Hackney carriage/private hire drivers are prohibited from charging wheelchair-users an additional fare for a journey
- Hackney carriage/private hire drivers are required to carry the passenger's wheelchair if the wheelchair-user chooses to sit in a passenger seat during the journey
- Hackney carriage/private hire drivers are obliged to take such steps as are necessary to ensure that the wheelchair-user is carried in safe and reasonable comfort
- Hackney carriage/private hire drivers must provide reasonable levels of mobility-assistance to the disabled passenger
- Hackney carriage/private hire drivers cannot refuse hires from wheelchair users

Mobility assistance is defined as assistance:

- To enable the passenger to get into or out of the vehicle
- Where if the passenger wishes to remain in the wheelchair, to enable the passenger to get into and out of the vehicle while in the wheelchair
- To load the passenger's luggage into or out of the vehicle
- If the passenger doesn't wish to remain in the wheelchair, to load the wheelchair into or out of the vehicle

Failure to comply with the duties listed under section 165 of the Act is a criminal offence.

Section 167 of the act permits local authorities to maintain a list of designated wheelchair-accessible hackney carriage and private hire vehicles.

WAVs large enough for a passenger seated in a 'reference wheelchair' to enter, be securely transported and exit the vehicle without leaving their wheelchair are designated formally as being 'wheelchair accessible' for the purposes of section 167 of the Equality Act 2010.

13. Driver Safety Enclosures

No material alteration or change in the specification, design, condition or appearance of vehicles shall be made without the prior approval of Licensing Services. A small (<A5) blue wheelchair symbol may be displayed on the rear of the vehicle.

Aftermarket driver safety enclosures may reduce the risk of attack from passengers. However, there are risks which arise from these products, particularly those which are not approved or correctly installed. Changing or adding to the interior of the vehicle can alter the 'type approval' of the vehicle and have consequences as to what might happen inside the vehicle in the event of a collision.

If you are a manufacturer or supplier of a product and wish for it to be considered on this approved list, please visit <https://www.wolverhampton.gov.uk/licences/taxi-licences/DSE>.

The enclosure:

- Must be professionally installed by a competent person in accordance with the manufacturer's instructions.
- Must be fitted within the vehicle accordance with regulations UN ECE R43.00 and R21.01 and Section 12 of the M1 category DVSA IVA manual.
- Must not be modified from the original manufactured design, without the manufacturer's confirmation that this will not cause any safety issues or non-compliance with the relevant UK and/or EC safety legislation.
- Must not negatively affect any safety equipment, such as airbags, or escape from the vehicle.
- Must be maintained to a high standard of cleanliness, be 100% transparent and free of marks, graffiti or stickers.
- Must permit clear conversation between the driver and passengers, or hearing loops must be installed to support passengers who are deaf or hard of hearing to communicate with drivers.
- Must be notified to the vehicle insurer as a modification to the vehicle. Proof of insurance cover including the enclosure is required at all times.

If you wish to install a driver safety enclosure:

1. Notify your insurer of your intention to install a driver safety enclosure.
2. Choose a product from the approved list available at <https://www.wolverhampton.gov.uk/licences/taxi-licences/DSE>.
3. Check that the product will meet the requirements in the section above, relevant to your vehicle.
4. Contact vehicle.lic@wolverhampton.gov.uk, advising which product you intend to purchase, your vehicle licence number and your availability for a vehicle inspection.
5. Once you have received confirmation from Vehicle Licensing, purchase the product and arrange for it to be professionally installed. Please note that you should arrange for installation shortly before your vehicle inspection as you are not permitted to conduct any paid-for journeys in-between installation and inspection.
6. Attend your inspection, bringing proof of updated insurance and professional installation.
7. The vehicle must contain the written authorisation from Licensing Services that the enclosure is permitted, as well as proof that the insurance policy covers this modification.

14. Private Hire Vehicle Plate and Badge Exemption Policy

When a vehicle is deemed as a luxury type, suitable for VIPs, the licence holder can apply for an exemption from displaying the main licence plate externally and drivers wearing their badge whilst working.

Applications for exemptions may be considered where the following requirements are met:

Applications may only be made by a person holding a Private Hire Vehicle Operators licence issued by the Council.

Classed as F-segment of the European segments for passenger cars.

The vehicle must be in pristine condition with no visible defects, dents or blemishes to the external body work internal trim and furnishings.

The type of work undertaken in this vehicle must be specifically to provide transport under written contract to a company or person, or by the type of client who for security reasons would not want the vehicle identifiable.

Where an application for an exemption is granted, an exemption notice will be issued. The exemption notice must always be carried in the vehicle and the external licence plate affixed to the inside of the boot lid.

Vehicles may be any colour.

Exemptions are to be renewed annually subject to the vehicle undergoing a re-inspection.

The current fee for an exemption is £75.00.

14.1 Exemption Requirements

(a) Any vehicle granted an exemption from displaying an external identification plate will be required to have the identification plate normally displayed on the rear of the vehicle affixed to the inside of the boot lid. The plate when so affixed **must** be readily visible when that boot lid is raised.

(b) In the event of loss or damage rendering such plate or notice unserviceable the proprietor shall make immediate application for a replacement for which a fee is payable.

(c) The exemption notice issued by the Council will be carried in the vehicle at all times and will be produced upon request to an authorised officer of the Council or any Police Officer.

(d) When issued with an exemption notice, the vehicle will not normally be required to display any other signs that the Council may at any time require other private hire vehicles to display. However, this exemption is not applicable to other legally required signage (e.g. no smoking signs and/or information on CCTV).

(e) The proprietor will not display in, on or form the vehicle any advertisement, signage, logos or insignia advertising the operating company or the vehicle's status as a private hire vehicle.

(f) During the period of the exemption notice, the driver shall not be required to wear the private hire driver's identification badge but will have it available for immediate inspection by an authorised officer of the Council or any Police Officer on request.

(g) During the period of the exemption notice the driver of the vehicle, whilst engaged on private hire work, will be smartly dressed in either a formal chauffeur's uniform or a business suit with collar and tie.

(h) The proprietor shall, within 2 days notify the Council of any change in the use of the vehicle.

(i) The proprietor shall not use the vehicle for private hire purposes other than for the use described above (i.e. not for daily private hire use or regular pick-ups from pubs and clubs). Should the proprietor wish for the vehicle to undertake regular private hire work, the normal licence conditions shall apply and requisite signage be displayed.

(j) The glass of the driver and passenger's front side window and the front windscreen must be clear. However, tinted windows can be fitted to the side and rear window glass of the vehicle provided that they comply with current legislation.

(k) The exemption will cease to have effect on selling or transferring the vehicle to another party. The person to whom the exemption is granted must inform the Council of the sale/transfer of ownership within 2 days and in writing, and provide details of the new owner. The exemption notice must be returned to the Council along with the private hire vehicle identification plate unless being sold to another private hire operator licensed by the Council; in which case, only the exemption notice has to be returned.

15. Stretched Limousine Licensing

Stretched limousines are considered for licensing on an individual basis and on their individual merit. You are advised to contact Licensing Service prior to making an application. The licensed passenger seat capacity will be limited to eight people.

16. Ultra-Low Emission Vehicles

Subject to a review in 2028 of other licensing authorities' policies on ultra-low emission vehicles, it is the Council's intention to restrict the grant of new vehicle licences to vehicles emitting <75g CO₂/km. This is to be evidenced on the V5C, or where instructed by an officer, from CO₂ testing to be paid for by the proprietor. This will apply to all imported vehicles with a tailpipe but a V5C which shows the vehicle as zero emissions.

Exceptions may be granted for luxury vehicles and classic cars.

17. Advertising Policy

Advertisements shall not be permitted without the written prior approval of Licensing Services.

Consideration of requests, including a draft of the artwork, will only be considered when the following requirements are met.

1. Advertisements relate to a not-for-profit public interest campaign.
2. Any advertisement must not obscure or detract from the Council's vehicle identification and public safety messages, required by the conditions of licence.
3. Artwork must be of a suitable standard to ensure its durability on the vehicle in constant use.
4. Any advertisement must not contain text or images depicting the following:
 - Political, ethnic or religious messages or content which is contrary to the Council's Equal Opportunity Policy
 - Sexual content
 - Indecent material or content likely to offend public taste
 - The promotion of the sale or consumption of tobacco products
 - The promotion of the sale or consumption of alcohol
 - Any words or images that may indicate the vehicle is a Hackney Carriage.
 - Encouragement of anti-social behaviour
 - Advertising must in no way adversely affect the safety of the public

Full vehicle livery wraps will only normally be considered if it is advertising a good cause. The livery needs to be tasteful, not distracting for other motorists and must be maintained in pristine condition.

Advertising should not cover the vehicle's windows, to allow visibility into and out of the vehicle.

All advertising applications will be dealt with on a case by case basis in accordance with the scheme of delegation.

18. Private Registration Numbers

In order to change the registration number associated with the vehicle licensed by the Council, you must contact Vehicle.lic@wolverhampton.gov.uk

You must supply:

- Vehicle Registration Document (V5C) showing your new registration number, DVLA Authorisation Certificate or DVLA Certificate of Entitlement (V750)

- Valid certificate of insurance or cover note showing cover for public or private hire purposes (as appropriate) for the new registration number.

You will be contacted to collect your new licence plate, which will be issued after the payment of £37.

19. Carriage of Under 3s

It is the Council's policy that under 3s count towards the licensed capacity of the vehicle, even if the child is not using a seat belt nor car seat. Drivers must refuse carriage if the number of passengers will exceed the limit on the vehicle licence. Operators must refuse a booking if they are aware that the number of passengers will exceed the licensed capacity and advise the hirer to book multiple vehicles.

For more guidance, please visit

<https://www.childcarseats.org.uk/media/1018/carrying-children-safely-in-taxis-coaches-buses-and-minibuses.pdf>

Taxi CCTV Policy

Licensing Services

Created: 12 October 2020
Revised: 18 February 2025

Contents

Scope.....	2
Purpose.....	2
Legality.....	3
Compliance, Regulation and Complaints	3
ICO Registration as Data Controller.....	3
Data Processors.....	4
Audio Recording.....	4
Signage and Advising of Cameras	5
Storage of Data	5
Sharing Data	5
Summary of CCTV and Dashcam Requirements.....	6

Scope

City of Wolverhampton Council licensed Hackney Carriages and Private Hire Vehicles are referred to collectively as 'licensed vehicles' in this policy. These are commonly referred to as taxis.

This policy relates to in-vehicle cameras, also known as surveillance cameras, in licensed vehicles:

For the purposes of this policy, there are two types of cameras permitted:

1. External facing dashcams, that do not record audio.
2. Closed Circuit Television (CCTV), from the Council's [approved list](#), which records audio when a panic-switch is activated.

Both types of systems require registration with the Information Commissioner's Office.

Passengers must not be visible on any footage recorded by dashcams and audio recording on dashcams is strictly prohibited. An inward facing dashcam is not authorised CCTV.

Proprietors of vehicles licensed by City of Wolverhampton Council are permitted to voluntarily install in-vehicle cameras, subject to adherence with this policy throughout the duration of the proprietor's licence.

Licence holders are advised that school transport contracts may preclude the installation of CCTV in their vehicle and that they should engage with their contract manager prior to purchasing a CCTV system.

Purpose

The policy's purpose is to facilitate the use of in-vehicle cameras in licensed vehicles, to protect drivers and passengers, whilst ensuring licence holders respect passenger privacy.

This protection is intended to come from:

- Visible surveillance cameras deterring individuals from committing a crime through the knowledge that evidence of it will be recorded.
- Occupants of the vehicle feeling reassured that crimes, as well as malicious complaints against drivers, are less likely to occur in an environment protected by in-vehicle cameras.
- Informing investigations by the Council and police.

This policy does not require in-vehicle cameras to be in operation. However, if the driver of the vehicle is not the owner of the vehicle, they should check with the vehicle licence holder under what circumstances they are permitted to disable recording, in accordance with their operating procedures and risk assessment.

The absence of in-vehicle cameras in a licensed vehicle does not indicate that the owner of the vehicle has failed to pay attention to passenger or driver safety and their 'fitness and propriety' is not in question.

Legality

Data recorded by any CCTV system must be handled in accordance with The Data Protection Act and UK GDPR. The Information Commissioner's Office (ICO) is the UK regulator for all matters relating to the use of personal data.

It is contrary to the Motor Vehicle (Construction and Use) Regulations 1986, for equipment to obscure the driver's view of the road through the windscreen.

Compliance, Regulation and Complaints

The Surveillance Camera Commissioner (SCC) works to encourage compliance with the '[Surveillance camera code of practice](#)'.

The Information Commissioner's Office (ICO) is the regulatory body responsible for enforcing compliance with privacy and data protection legislation.

Licence holders must comply with any relevant guidance issued by the SCC and ICO.

If a passenger or any other individual wants to request footage relating to themselves, they should make a Subject Access Request (SAR) to the Data Controller detailed on the signage in the vehicle. Signage is covered in greater detail in this document, under the section 'Signage and Advising of Cameras'. Information on how to make a valid SAR is available at <https://ico.org.uk/your-data-matters/your-right-to-get-copies-of-your-data/>

If a passenger has an issue with their journey relating to the footage recorded, they should contact the Data Controller in the first instance, using the details displayed on the signage within the vehicle.

If the Data Controller fails to resolve the issue, the complainant may escalate this to the ICO at <https://ico.org.uk/make-a-complaint/>

ICO Registration as Data Controller

The ICO defines a 'Data Controller' as the individual or organisation which has ultimate responsibility for how personal data is collected and processed.

For the purpose of the installation and operation of in-vehicle cameras, the Data Controller is the vehicle licence holder. The licence holder must be registered with the [Information Commissioner's Office](#) and be able to evidence continuous registration throughout the lifetime of the licence.

Registration with the Information Commissioner's Office requires renewal on an annual basis and payment of the appropriate fee.

Individuals can request to have their address removed from the public register. Individuals can contact the Information Commissioners Officer registration team on 0303 123 1113 to make a request their home address is removed from the entry on the public register

Data Processors

A Data Processor, in relation to personal data, means any person (other than an employee of the Data Controller) who processes data on behalf of the Data Controller, in response to specific instructions. Where a service provider is authorised for the remote storage and/or management of data, they will act as a 'Data Processor'.

There must be a formal written contract between the Data Controller and Data Processor. The contract must contain provisions covering security arrangements, retention/deletion instructions, access requests and termination arrangements.

Audio Recording

If the proprietor wants to install a system which has panic-switch activated audio recording facilities compliant with the requirements of this section, it must be installed by a professional supplier. The requirements are as follows:

- The system must not record audio, unless activated by a switch supplied by the manufacturer and installed professionally. The switch must be accessible to both the driver and passengers.
- The switch must then provide an illuminated visual indicator, clearly visible from all passenger seats, that audio recording is taking place. The driver must verbally inform the passengers that audio is recording.
- Once activated, the audio recording must be synchronised to the CCTV video recording and embedded within the same data file. This file must be protected against tampering.
- If the engine is turned off, audio recording must continue for at least 10 minutes.
- Audio recording must cease within 1 minute of the switch being deactivated.

Approved systems and suppliers are available at www.wolverhampton.gov.uk/licences/licensed_vehicle-licences/ApprovedCCTV

The supplier must provide the certificate of installation and the registration plate of the vehicle, for this to be linked to the vehicle's record.

Vehicles equipped with an audio recording CCTV system must obtain the appropriate warning signage from the council.

Failure to arrange for these documents to be provided to Licensing Services will be considered misconduct, even if the system complies with the other policy

requirements, resulting in a review of relevant licences.

Signage and Advising of Cameras

Any vehicle fitted with CCTV or dashcams must display clearly visible and readable signage informing passengers that such a system is fitted. This signage must be displayed so as to minimise obstruction but must be visible before and after entering the vehicle. At a minimum, this will be a double-sided sticker in the window on the left and right sides of the vehicle.

The signage must contain:

- The purpose for using the surveillance system, “in the interests of public safety, crime detection and crime prevention”.
- The name and contact number of the Data Controller, which should be the vehicle licence holder. **City of Wolverhampton Council is not the Data Controller.**
- The Data Controller’s ICO Registration Number.

Signage is available from Licensing Services. If signage is lost or removed, new signage must be installed prior to any licensable activities being undertaken.

The driver should verbally advise that CCTV is in operation where necessary e.g. where people may have visual impairments or where they have been informed in advance that the booked passenger has a disability.

Storage of Data

Data must be handled securely in a way that ‘ensures appropriate security’, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures. CCTV footage must be encrypted to prevent unauthorised access, with appropriate controls to limit access to relevant individuals only, such as password protection. Data should be deleted after 31 days, unless it has been legitimately shared, in which case it should be deleted when appropriate on the conclusion of the request.

Digital screens within the vehicle for the purposes of viewing footage are prohibited.

Sharing Data

The licence holder must comply with valid information requests, in consideration of The Data Protection Act (2018) and UK General Data Protection Regulations (UK GDPR).

Data must be shared securely and requests must be fulfilled without charge.

Data must only be shared where there is a valid lawful reason, for example:

- a) where a crime report has been made involving the specific vehicle and the Police have formally requested that data.

- b) when a substantive complaint has been made to the licensing authority regarding a specific vehicle/driver and that complaint is evidenced in writing (and cannot be resolved in any other way).
- c) where a data request is received from an applicant e.g. police or social services, that has a legal basis to have access to the data requested to assist them in an investigation that involves a licensed vehicle or driver.
- d) a Subject Access Request (SAR) compliant with the UK GDPR. The DPA gives individuals the right to see information held about them, including CCTV images of them. More information on the Data Controller's responsibilities relating to SARs is available at <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/right-of-access/>

This list is not exhaustive; it is the responsibility of the Data Controller to consider the lawfulness of requests to share information in line with UK Data Protection Law.

The uploading of CCTV and dashcam footage to social media does not have a lawful basis and it is expressly prohibited. This includes, by way of examples, but is not limited to: YouTube, WhatsApp, Instagram, TikTok, Facebook and Twitter. Where licence holders' have shared footage unlawfully, they will be liable to criminal prosecution. Unlawful sharing is a breach of UK Data Protection law and is considered a breach of policy, as it violates the privacy rights of the individuals recorded – even if it is footage which shows a passenger behaving badly or of another driver driving dangerously. These data subjects may complain to the Information Commissioner's Office (ICO), which may result in a fine for you. In addition, the publication of this footage may compromise legal proceedings.

If you have dashcam footage of a suspected driving offence, you can report this to your police force. Search 'Operation Snap' online.

Summary of CCTV and Dashcam Requirements

1. Licence holders must comply with any relevant guidance issued by the Surveillance Camera Commissioner and Information Commissioner's Office.
2. The vehicle proprietor must be registered with the [Information Commissioner's Office](#) and be able to evidence continuous registration throughout the lifetime of the licence.
3. Clearly visible and readable signage advising of the system and the Data Controller's contact details, including ICO registration number, must be displayed in the vehicle.
4. The system must not obscure the driver's view of the road through the windscreen.
5. The system may only record audio in line with the requirements of Audio Recording on page 4.
6. Data must be stored securely, with access controls to prevent unauthorised access and only shared when lawful.

A vehicle licence may be refused, suspended or revoked where the camera system does not comply with this policy, or on any other reasonable grounds.

The driver's licence may also be reviewed.

Hackney Carriage and Private Hire Licences

Guidelines on Fitness and Propriety

1.0	Purpose of Guidelines
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- 1.1 Licensing issues are dealt with by both Councillors and employees. Employee is defined in the scheme of delegations as authorised by the Regulatory Committee.
- 1.2 This document provides guidance outlining how drivers/proprietors of hackney carriage and private hire vehicles and private hire vehicle operators (operators) can expect to be treated. In particular, but not exclusively it will affect:
- Applicants for licences.
 - Existing licensed drivers, operators and vehicle proprietors whose licences are being renewed or reviewed.
 - Appeals against Local Authority decisions in Magistrates' Court and Crown Court.
- 1.3 Whilst employees and Councillors will have regard to the guidelines, each case will depend on its individual circumstances and will be considered on its individual merits. Where reasonable, the Employees/Committee may depart from the guidelines.
- 1.4 Any decision to suspend, revoke, refuse to grant or renew a licence will be applied to an applicant/licence holder who is considered not to be a 'fit and proper' person. Person includes limited companies and partnerships. The application of the Human Rights Act will be considered carefully **and balanced against the overriding consideration to protect the public.**
- 1.5 The Regulatory Committee (Committee) is concerned to ensure:
- That a person is a fit and proper person.
 - That a person does not pose a threat to the public.
 - That the public are safeguarded from dishonest persons.
 - The safeguarding of children, young and vulnerable persons.
- 1.6 Under the provisions of Sections 51, 55, and 59, Local Government (Miscellaneous Provisions) Act 1976, the licensing authority is required to ensure that an applicant for the grant or renewal of a hackney carriage and/or a private hire vehicle drivers' licence and/or private hire vehicle operator's licence is a 'fit and proper' person to hold such a licence. However, if an applicant has any convictions, warnings, cautions or charges awaiting trial, the licensing authority will look into:

- How relevant the offence(s) are to the licence being applied for. The impact and harm on any victim(s)
- The number and frequency of offences committed and the timescale over which they were committed
- How serious the offence(s) are, primarily indicated by the sentence or disposal imposed
- When the offence(s) were committed
- The date of conviction
- Circumstances of the individual concerned
- The applicant's age at the time of conviction
- Whether they form part of a pattern of offending
- Whether the offences have escalated in seriousness
- Whether they have shown a particular disregard for the law
- Any other character check considered reasonable (e.g. personal references)
- Any other factors that might be relevant

Whilst convictions are to be discussed, the hearing is not an opportunity for the matter to be "re-heard" or appealed. A conviction shows that the person has been found guilty of the offence. If the person disagrees with this, the conviction needs to be appealed to the courts. If the information on a Disclosure and Barring Service (DBS) certificate is incorrect, an appeal to the DBS must be submitted prior to the Council's consideration of the matter.

- 1.7 Section 61 and Section 62 of the Local Government Miscellaneous Provisions Act 1976 allows the local authority to suspend, revoke or refuse to renew a licence for failure by the licence holder to comply with the provisions of the Town Police Clauses Act 1847; failure to comply with the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976; or any other reasonable cause to include where an applicant/licence holder has any convictions, warnings, cautions or charges awaiting trial for offences or behaviour outlined in the guidance and matters referred to in the list above at 1.6 can be considered.
- 1.8 In determining whether a person is fit and proper the licensing authority is entitled to take into account all matters concerning that applicant or licensee. This consideration is far wider than simply criminal convictions or other evidence of unacceptable behaviour and the entire character of the individual will be considered. This can include, but is not limited to, the individual's attitude and temperament.
- 1.9 The Rehabilitation of Offenders Act 1974 (Exceptions) (Amendment) Order 2002, allows the local authority to take into account all convictions recorded against an applicant or the holder of a private hire vehicle or hackney carriage driver's licence, whether spent or not. Therefore, the local authority will have regard to all relevant convictions, particularly where there is a long history of offending or a recent pattern of repeat offending.
- 1.10 In this policy the term "disqualification" refers to the period served, in order to take account of the fact that a court may reduce the period of disqualification from driving. An applicant must provide evidence in advance to prove that the court agreed a reduction in the period of disqualification.
- 1.11 In this policy the term 'imprisonment', 'custodial sentence' or 'prison sentence' refers to any period of detention resulting in loss of liberty. For the purposes of calculating

the date a licence would be normally granted, suspended sentences are treated as custodial sentences.

- 1.12 In appropriate circumstances a suspension, refusal to renew or revocation may be abated by the licence holder demonstrating to the satisfaction of the Council that they have successfully completed and passed appropriate training which should be evidenced in writing to the Council. All training is at the expense of the applicant/licence holder.
- 1.13 A caution is regarded in exactly the same way as a conviction. This is because a caution can only be imposed following an admission of guilt, which is equivalent to a guilty plea on prosecution. Fixed penalties and community resolutions will also be considered in the same way as a conviction. This is because payment of a fixed penalty indicates acceptance of guilt and a community resolution can only be imposed following an admission of guilt.
- 1.14 It is important to recognise that matters which have not resulted in a criminal conviction (whether that is the result of an acquittal, a conviction being quashed, decision not to prosecute or an investigation which is continuing where the individual has been bailed) can and will be taken into account by the licensing authority. We are able to do this because the processes in which the applications are determined are a civil process and decisions are based on the balance of probability. Complaints or investigations where there is no police involvement will also be considered. Any references to 'conviction' in this policy also includes matters that amount to criminal behaviour, but which have not resulted in a conviction.
- 1.15 In the case of any new applicant who has been charged with any offence and is awaiting trial, the determination **may** be deferred until the trial has been completed or the charges withdrawn. Where an existing licensee is charged, it will be for the licensing authority to decide what action to take in the light of these guidelines.
- 1.16 Any offences committed, or unacceptable behaviour reported whilst driving a hackney carriage or private hire vehicle, concerning the use of a hackney carriage or private hire vehicle, or in connection with an operator of a private hire vehicle will be viewed as aggravating features and the fact that any other offences were not connected with the hackney carriage and private hire trades will not be seen as mitigating factors.
- 1.17 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 or failure to disclose in full information requested by the licensing authority, to include on the application for a licence) will normally result in a licence being refused, or if already granted, revoked and may result in prosecution.
- 1.18 As the direct impact on the public varies depending upon the type of licence applied for or held, it is necessary to consider the impact of particular offences on those licences separately. However, there are some overriding considerations which will apply in all circumstances.
- 1.19 A driver has responsibility for the safety of their passengers, 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.

- 1.20 Decision officers will use the following test to determine whether a driver licence applicant or holder is fit and proper:

Without any prejudice, and based on the information before you, 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?

If, on the balance of probabilities, the answer to the question is no, the individual should not hold a licence.

Private Hire Vehicle Operators

- 1.21 A private hire vehicle operator ("an operator") in performing their duties obtains and holds 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.

- 1.22 Operators shall 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 done 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 may lead to the operator's licence being revoked.

- 1.23 Decision officers will use the following test to determine whether a private hire vehicle operator licence applicant or holder is fit and proper:

Without any prejudice, and based on the information before you, would you be comfortable providing sensitive information, such as holiday plans, movement of your family or other information to this person, and feel safe in the knowledge that such information would not be used or passed on for criminal or unacceptable purposes?

If, on the balance of probabilities, the answer to the question is no, the individual should not hold a licence.

Vehicle Proprietors

- 1.24 Vehicle proprietors must ensure that the vehicle is maintained to an acceptable standard at all times and they must ensure that the vehicle is not used for illegal or illicit purposes.

- 1.25 Decision officers will use the following test to determine whether a vehicle licence applicant or holder is fit and proper:

Without any prejudice, and based on the information before you, would you trust this person to maintain a mechanically safe and insured vehicle used only for legal purposes, including a business of allowing others to use this vehicle?

If, on the balance of probabilities, the answer to the question is no, the individual should not hold a licence.

Overseas Criminal Record Checks

- 1.26 If any applicant has spent three months or more (whether continuously or in total), while aged 18 or over residing outside the United Kingdom, evidence of a criminal record check (certificate of good character/conduct) from the country/countries covering the relevant period is required.
- 1.27 If an individual has previously provided an overseas criminal record check, they will not need to provide a new certificate upon renewal application, unless they have travelled overseas again.
- 1.28 Where an applicant is unable to provide a satisfactory criminal record check, a licence will not be granted because the licensing authority cannot be satisfied as to their fitness and propriety. Individuals who can evidence that they have been granted Refugee Status by the Home Office will be exempt from providing a certificate from the country that they have been granted refuge from.

2.0	Relevant Convictions, Cautions/Fixed Penalties/Community Resolutions / Offence(s) and all relevant information received
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2.1 New Applicants

- 2.1.1 A conviction/caution or relevant information relating to the alleged committing of an offence falling within any of the categories outlined in Section 5.0 of this document will result in a new applicant for a hackney carriage or private hire vehicle driver's/operator's licence being referred to the employees to determine the application.

2.2 Existing Licence Holders

- 2.2.1 A conviction/caution or relevant information relating to the alleged committing of an offence falling within any of the categories outlined in Section 5.0 of this document will result in an existing hackney carriage or private hire driver's/proprietor's/operator's licence being referred to employees to determine a course of action detailed in Section 5.0 below. (In the event of a serious breach or allegation in respect of a licensed operator, the matter will be referred to Committee for consideration).
- 2.2.2 In cases where it is in the interests of public safety, the employees or Councillors may suspend, or revoke a driver's licence with immediate effect following a review. In such cases a statement that this is so and an explanation will be given as to why it is in the interests of public safety to suspend, or revoke immediately and suspension/revocation takes effect when the notice is given to the driver.

2.3 Persistent Offenders

- 2.3.1 A persistent offender is a repeat offender who shows a pattern of offending over a period of time. This can mean a series of offences committed in a short timeframe,

or offences which escalate in seriousness over time, or a long history of minor offences for the same behaviour which demonstrate a clear disregard for the law. For example, a person may have been involved in theft which then escalates to burglary, and then aggravated robbery.

- 2.3.2 They may not have served a custodial sentence but have consistently received out-of-court disposals such as fines, community orders, or suspended sentences which, taken individually, would not normally be a reason for refusal. For example, they may have been repeatedly arrested for the same offence but never convicted. A person who has committed three minor offences in 10 years might not be viewed as a persistent offender, whereas it may be appropriate to consider a person who commits four offences in six months as a persistent offender.
- 2.3.3 If the person concerned has been out of trouble for a significant period or periods within the overall period under consideration, then the length of such periods and the reasons for their keeping out of trouble may be important considerations. However, the fact that someone has not been convicted for some time does not necessarily signify that they have seen the error of their ways. They may have been serving the custodial part of a short sentence or been in hospital. Alternatively, they may have been subject to a community order, or a suspended sentence, or on bail. However, if a person continually offends soon after being released from prison it will normally be appropriate to consider that they are a persistent offender.
- 2.3.4 If a series of offences, committed a long time ago, can be attributed to a particular incident or issue in a person's life that is believed to have since been resolved, it may be disproportionate to consider them a persistent offender. An established period of rehabilitation may also evidence that an individual is no longer a persistent offender. For example, in the case of a former drug addict who has ceased shoplifting to fund their habit after a period in rehabilitation, and who has been out of trouble for a significant period of time afterwards, it may not be appropriate to consider them as a persistent offender because when their history is looked at in the round, it can no longer be said that they are someone who keeps on offending.
- 2.3.5 Persistent offending may be evidenced by:
- Multiple convictions
 - Multiple custodial sentences
 - Convictions over a long period of time
 - A number of offences which have escalated in seriousness
 - Repeated convictions in a short period of time
 - Criminal offences committed after a custodial sentence has been served
 - Convictions for a range of offences, as categorised in Section 5.
 - If not convicted of any offence, a demonstrated pattern of behaviour.
- 2.3.6 Where an individual is deemed to be a persistent offender, a new licence will not normally be granted. Any existing licences will normally be revoked or refused renewal.

Showing a particular disregard for the law

- 2.3.7 A person who persistently shows a lack of respect for, or desire to comply with, the law, through frequent criminal activity and adverse engagement with the judicial

system, can be considered to show a particular disregard for the law. This category of offender may well have a criminal history showing, for example, regular convictions for the same offence or offence type, indicating a lack of willingness or capacity to adjust their conduct so that it remains within the law over a reasonable period of time.

2.3.8 Conversely, a person may have demonstrated genuine, meaningful attempts to change their behaviour and comply with the law. For example, they may have engaged with programmes or activities aimed at addressing the cause of the offending, such as (but not limited to):

- treatments aimed at reduction of alcohol consumption
- drug dependency or anger management courses

3.0	Complaints
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3.1 A complaint relating to the conduct of a licensee may, depending on the severity of the allegations, result in a written warning, suspension, requirement to complete training, refusal to renew or revocation of the licence.

4.0	Further Guidance
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4.1 Where an application is made for a new licence, and the applicant has previously held a hackney carriage or private hire drivers, proprietors or operator's licence or on review of an existing licence and relevant convictions have previously been considered in decision making by the Local Authority in connection with any further or existing licence any decision on a new application or on review will normally be made by the employees or Regulatory Committee, with reliance only on any relevant convictions, cautions or behaviour which have arisen since any previous application or review. However, there will be occasions when previously considered convictions, cautions or behaviour will be of value and can be referred to in order to indicate a pattern of behaviour which may result in them again being considered in decision making particularly if they are of a similar nature to those which have arisen since any previous application or review.

Patterns of repeated unacceptable behaviour are likely to cause greater concern than isolated occurrences as such patterns can demonstrate a propensity for unacceptable behaviour.

4.2 Normally an applicant or licence holder whose application/licence is subject to a formal review hearing will be advised in writing and/or by email of the date and time of the meeting. They have the right to appear in person at the hearing to give verbal or written information in support of the application/licence and to be represented if required. If the applicant or licence holder fails to attend the review hearing without reasonable excuse, the determination or review may proceed in their absence. Hearings may be held online via Microsoft Teams.

4.3 In all cases involving suspension, revocation and refusal to grant or renew the applicant or licence holder has the right to appeal against the decision of the Regulatory Committee or the employees through the Magistrates' Court.

- 4.4 For the avoidance of doubt where a person is sentenced to a period of imprisonment or detention at a Young Offenders Institution reference to expiry of sentence shall be deemed to mean expiry of the actual term imposed and not any earlier release date.
- 4.5 Any person who has been cautioned for an offence will be dealt with using the criteria relating to convictions.
- 4.6 Decisions will normally be made in accordance with these guidelines; however, each case will be decided on its merits. Regard will be had to:
- (a) The nature of the offence.
 - (b) The age of the individual concerned at the date of the offence.
 - (c) Whether the driver was acting as a private hire or hackney carriage driver at the time. In the case of an operator, whether the operator was acting in the course of business as a private hire operator at the time.
 - (d) Any other relevant circumstances.

There will be no regard to personal or financial circumstances when determining whether a person is fit and proper.

Dependant on the facts and where deemed appropriate, the employees may make a decision contrary to that suggested by the guidelines or where appropriate refer a matter to Councillors of the Licensing Sub-Committee for decision. Where decisions are made which are contrary to the guidelines or where the matter is referred to the Licensing Sub-Committee employees will give reasons for this.

- 4.7 Any list of offences outlined in section 5.0 of this report, show examples of the type of offence in a particular category. The lists are not exhaustive and offences outside of these examples may be considered by the employees/Committee.
- 4.8 Hackney carriage and private hire vehicle drivers' English must be sufficient to understand written documents, such as policies and guidance, including any relating to the protection of children and vulnerable adults. They must be able to identify and act upon signs of potential exploitation through communicating with passengers and their interaction with others. Drivers are required to demonstrate an understanding of the desired destination, an estimation of the time taken to get there as well as other common passenger requests and for the driver to provide a legibly written receipt upon request. Inadequate English may result in refusal to grant or renew, suspension or immediate revocation of a licence.
- 4.9 In order for an applicant or licence holder to be considered a fit and proper person to hold a licence their standard of driving should be at a satisfactory level. This level is to be determined by the Local Authority and in appropriate cases further driver training assessment may be deemed necessary at the applicant's or licence holder's own expense. Evidence of driving ability which is below the satisfactory level required may result in refusal to grant or renew, suspension or revocation of a licence.
- 4.10 Applicants or licence holders may be required to undertake additional medical testing at the request of the Council at their own expense and this may be required

at short notice. Failure to book or attend the appointment may result in the licence being refused, suspended, revoked or refused renewal.

- 4.11 All driver licence applicants and holders must complete the council's driver training programme as required by the Council. An existing driver who fails the training programme will normally have their licence revoked or refused renewal.

5.0 Determination of Action to be Taken

- 5.1 In determining the course of action to be taken in connection with an application for a hackney carriage, proprietor or driver licence, private hire vehicle, driver or operator licence or the review of an existing driver's licence or operator's licence, or proprietor's licence the following sanctions will be applied as a guide. In all cases where it is possible to calculate two or more different periods of time, the calculation which results in the longer period shall be used or both periods of time may be considered consecutively or concurrently at the discretion of the employees/Councillors.

5.1.1 Minor Traffic Offences

The Regulatory Committee takes driving offences very seriously, particularly when the applicant displays a pattern of offences.

- (a) Single offences resulting in a maximum of 3 current penalty points relevant for 'Totting Up' purposes as outlined at 5.1.2 – Issued with written warning. A new licence will normally be granted with a warning.
- (b) Repeat offences resulting in a combined total of 6 current penalty points or more relevant for 'Totting Up' purposes as outlined at 5.1.2 – will normally revoke or refuse to renew. A new licence will not normally be granted for 5 years. If the points relate to offences committed behind the wheel, a road risk assessment will have to be satisfactorily completed prior to a licence being granted at the applicant's or licence holder's own expense. Licensees may abate a licence review for first offences if they attend a road risk assessment, offered at the Council's discretion and at the driver's expense, in advance.

5.1.2 Driving Licence Disqualification or Revocation

A disqualification from driving is treated most seriously for applicants and licence holders of Hackney Carriage and Private Hire Driver licences.

Drivers may be disqualified for certain offences, such as those in guideline 5.1.4.

Drivers may be disqualified from driving if the total number of driving licence penalty points reaches 12 or more under the "Totting Up" procedure. If the licence has been held for less than two years, the licence may be revoked upon receiving 6 penalty points or more.

Licence holders who receive 12 penalty points or more but are not disqualified from driving (for example, due to exceptional hardship) will still normally have their

Hackney Carriage or Private Hire Driver licence revoked. Applicants will normally have their application refused. Exceptional hardship is not a relevant consideration in determining what action a licensing authority should take.

Where a driving licence has been revoked on medical grounds, applicants for a Hackney Carriage or Private Hire Driver licence will be required to undergo medical testing at their own expense. Satisfactory results will normally result in a licence being granted.

- (a) *First offence* – will normally revoke or refuse to renew. A new licence will not normally be granted for 7 years following the expiration of the disqualification period or if not disqualified 7 years from the date of the conviction, caution or in the absence of these the date of the offence or relevant incident and a road risk assessment, at the applicant's or licence holder's own expense, may have to be satisfactorily completed prior to a licence being granted.
- (b) *Repeat offences* – will normally revoke or refuse to renew. A new licence will not normally be granted.

5.1.3	Major Traffic Offences
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A major traffic offence is a road traffic offence (other than for totting) that can result in four or more penalty points and/or a period of disqualification and/or imprisonment.

For the purpose of these guidelines the following motor offences are classed as 'Major Traffic offences'. However, this is not an exhaustive list.

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 Court
BA30	Attempting to drive while disqualified by order of Court
CD10	Driving without due care and attention
DD40	Dangerous driving
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
MS90	Failure to give information as to identity of driver, etc.

UT50	Aggravated taking of a vehicle
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- (a) *First offence* – will normally revoke or refuse to renew. A new licence will not normally be granted for 7 years following the expiration of the disqualification period or if not disqualified 7 years from the date of conviction, caution, expiry of a prison sentence or in the absence of these the date of offence or relevant incident.
- (b) *Repeat offences* – will normally revoke or refuse to renew. A new licence will not normally be granted for 12 years following the expiration of the last disqualification period or if not disqualified 12 years from the date of the most recent conviction, caution, expiry of a prison sentence or in the absence of these the date of offence or relevant incident.

For the purpose of this guideline repeat offences can also include a situation where an applicant or licence holder has a conviction/caution or there is other information which relates to an incident of driving whilst under the influence under guideline 5.1.4.

5.1.4	Driving under the Influence of Drink and Drugs
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Any drink or drug driving offence is treated very seriously by the Local Authority. An offence of this nature is highly relevant to the individual's role as a licence holder.

All applicants who have a conviction for this category of offence will be subject to medical testing, at the applicant's own expense, before the application is considered complete. This includes any spent convictions and convictions outside of the timescales below.

Those with convictions for this category of offence will be tested for any current alcohol dependency. Those with drug convictions will be tested for any illegal drugs use. Testing is required for each drug the person was under the influence of. Where a test result was not achieved, for example if the individual failed to provide a specimen, they will be required to test for alcohol dependency, cannabis and cocaine use.

For the purpose of these guidelines the following motor offences are relevant. However, this is not an exhaustive list.

DG10	Driving or attempting to drive with drug level above the specified limit
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 refusing to give permission for analysis of a blood sample that was taken without consent due to incapacity
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 co-operate with a preliminary test
DR80	Driving or attempting to drive when unfit through drugs

- (a) *First offence* – will normally revoke or refuse to renew. A new licence will not normally be granted for 7 years following the expiration of the disqualification period or if not disqualified 7 years from the date of conviction, caution, expiry of a prison sentence or in the absence of these the date of offence or relevant incident.
- (b) *Repeat offences* – will normally revoke or refuse to renew. A new licence will not normally be granted for 12 years following the expiration of the last disqualification period or if not disqualified 12 years from the date of conviction, caution, expiry of a prison sentence or in the absence of these the date of offence or relevant incident.

For the purpose of this guideline repeat offences can also include a situation where an applicant or licence holder has a conviction/caution or there is other information which relates to a major traffic offence under guideline 5.1.3.

5.1.5 Anti-Social Behaviour and Public Order Offences

Licence holders should display a measured and calming manner in the face of provocation and difficult situations.

- (a) *First offence* – will normally suspend for up to 6 months or refuse to renew. A new licence will not normally be granted for 2 years following the date of conviction, caution, expiry of a prison sentence or in the absence of these the date of offence or relevant incident.
- (b) *Repeat offences* – will normally revoke or refuse to renew. A new licence will not normally be granted for 5 years following the date of conviction, caution, expiry of a prison sentence or in the absence of these the date of offence or relevant incident.

5.1.6 Alcohol Abuse, Misuse or Dependency and Drug Use,

All applicants who have a conviction for drunkenness or drugs possession (excluding in relation to guideline 5.1.7) will be subject to medical testing, at the applicant's own expense, before the application is considered complete. This includes any spent convictions and convictions outside of the timescales below.

Those with convictions for drunkenness will be tested for any current alcohol dependency. Those with drug convictions will be tested for any illegal drugs use. Testing is required for each drug the person was in possession of.

- (a) *First offence* – will normally revoke or refuse to renew. A new licence will not normally be granted for 5 years following the date of conviction, caution, expiry of a prison sentence or in the absence of these the date of offence or relevant incident or date of evidenced dependency.
- (b) *Repeat offences* – will normally revoke or refuse to renew. A new licence will not normally be granted for 7 years following the date of conviction, caution, expiry of a prison sentence or in the absence of these the date of offence or relevant incident or date of evidenced dependency.

5.1.7 Dealing/Manufacture/Supply/Possession with Intent to Supply Drugs

Due to the nature of work carried out in the hackney carriage and private hire industry, the dealing, manufacture or supply of drugs is treated very seriously and will normally preclude a licence being issued for a considerable time.

- (a) *First offence* – will normally revoke or refuse to renew. A new licence will not normally be granted for 10 years following the date of conviction, caution, expiry of a prison sentence or in the absence of these the date of offence or relevant incident.
- (b) *Repeat offences* – will normally revoke or refuse to renew. A new licence will not normally be granted.

5.1.8 Public - Indecency Offences

Public indecency relates to an act or display which is obscene or disgusting to an extent which outrages minimum standards of public decency in contemporary society and is in a place accessible to or in view of the public.

Indecency offences of a sexual nature will normally be dealt with under the Sexual Offences Guidelines (5.1.9).

The holder of a proprietors, operators and/or private hire or hackney carriage driver's licence are in a position of trust and hackney carriage/private hire drivers often work in isolation with members of society. Therefore, any offence for indecency is treated very seriously.

- (a) *First offence* – will normally revoke or refuse to renew. A new licence will not normally be granted for 7 years following the date of conviction, caution, expiry of a prison sentence or in the absence of these the date of offence or relevant incident.
- (b) *Repeat offences* – will normally revoke or refuse to renew. A new licence will not normally be granted for 12 years following the date of conviction, caution, expiry of a prison sentence or in the absence of these the date of offence or relevant incident.

5.1.9 Sexual Offences

The holder of a proprietor's, operator's and/or private hire or hackney carriage driver's licence are in a position of trust and hackney carriage/private hire drivers often work in isolation with members of society.

The Local Authority seeks to minimise risks associated with these persons and for that reason a more serious view will be taken where sexual offences and inappropriate sexualised behaviour is believed to have occurred. This includes, but is not limited to, all offences under the Sexual Offences Act 2003, as amended. Decisions relating to the determination of an application or review of an existing licence may be informed by discussions with the Police and/or Local Authority Designated Officers.

The licensing authority will not normally grant a licence to any applicant who is currently on the Sex Offenders Register or on any 'barred' list, even where their inclusion is under appeal.

Any offence(s)/conviction(s)/caution(s) or behaviour of a sexual nature against any person will normally result in revocation or refuse to renew. A new licence will not normally be granted.

5.1.10 Dishonesty

All applicants and licence holders are expected to be persons of trust. For these reasons a serious view is taken of any offences or behaviour involving dishonesty.

For the purpose of these guidelines the following offences are classed as 'Dishonesty', however, this is not an exhaustive list:

- Theft.
- Burglary.
- Fraud.
- Benefit fraud (including offences under Section 111A and 112 of the Social Security Administration Act 1992).
- Handling or receiving stolen goods.
- Forgery (e.g. producing false insurance policy).
- Conspiracy to defraud.
- Obtaining money or property by deception.
- Bribery or attempting to bribe.
- Perverting the course of justice.
- Money laundering.
- Illegal money lending.
- Other deception.

- (a) *First offence* – will normally revoke or refuse to renew. A new licence will not normally be granted for 7 years following the date of conviction, caution, expiry of a prison sentence or in the absence of these the date of offence or relevant incident.

- (b) *Repeat offences* – will normally revoke or refuse to renew. A new licence will not normally be granted for 12 years following the date of conviction, caution, expiry of a prison sentence or in the absence of these the date of offence or relevant incident.

5.1.11	Obstruction of Police Officer/Authorised Officer/Immigration Officer (to include failure to surrender to bail and breach of probation requirements)
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These offences demonstrate a lack of compliance with legal requirements.

- (a) *First offence* – will normally revoke or refuse to renew. A new licence will not normally be granted for 7 years following the date of conviction, caution, expiry of a prison sentence or in the absence of these the date of offence or relevant incident.
- (b) *Repeat offences* – will normally revoke or refuse to renew. A new licence will not normally be granted for 12 years following the date of conviction, caution, expiry of a prison sentence or in the absence of these the date of offence or relevant incident.

5.1.12	Violence
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For the purpose of these guidelines the following are classed as 'violent offences', however, this is not an exhaustive list and behaviour of violent nature is included in this guideline:

- Affray.
 - Battery.
 - Common assault.
 - Criminal damage.
 - Possession of offensive weapon.
 - S4 Public Order Act 1986 (fear of provocation of violence).
 - S4A Public Order Act 1986 (intentional harassment, alarm or distress).
 - S5 Public Order Act 1986 offence or distress/harassment, alarm.
 - Violence against animals
 - Witness, juror or judge intimidation or interference.
 - Other violent offences.
- (a) *First offence* – will normally revoke or refuse to renew. A new licence will not normally be granted for 10 years following the date of conviction, caution, expiry of a prison sentence or in the absence of these the date of offence or relevant incident.
- (b) *Repeat offences* – will normally revoke or refuse to renew. A new licence will not normally be granted for 12 years following the date of conviction, caution, expiry of a prison sentence or in the absence of these the date of offence or relevant incident.

For the purpose of this guideline repeat offences can also include a situation where an applicant or licence holder has a conviction/caution or there is

other information which relates to one incident of violence together with one incident of serious violence defined under guidelines 5.1.12 and 5.1.13.

5.1.13	Violence (Serious)
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For the purpose of these guidelines the following are classed as 'serious violent offences', however, this is not an exhaustive list:

- Actual bodily harm
 - Arson
 - Assault Police
 - False imprisonment
 - Grievous bodily harm with intent
 - Kidnapping
 - Malicious wounding or grievous bodily harm
 - Possession of firearm
 - Racially aggravated
 - Resisting arrest
 - Riot
 - Robbery
 - Violent disorder
 - Wounding
 - Other serious violence
- (a) *First offence* – will normally revoke or refuse to renew. A new licence will not normally be granted for 10 years following the date of conviction, caution, expiry of a prison sentence or in the absence of these the date of offence or relevant incident.
- (b) *Repeat offences* – will normally revoke or refuse to renew. A new licence will not normally be granted.

For the purpose of this guideline repeat offences can also include a situation where an applicant or licence holder has a conviction/caution or there is other information which relates to one incident of violence together with one incident of serious violence defined under guidelines 5.1.12 and 5.1.13.

5.1.14	Offences or unlawful act resulting in Loss of Life or with the Intent to Cause Loss of Life
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A conviction or caution for the following offences would normally preclude the applicant / licence holder from holding a licence due to the nature of the work involved. For the purpose of these guidelines, the following are offences resulting in loss of life or intent to cause loss of life:

- Murder
- Manslaughter
- Manslaughter or culpable homicide while driving
- Attempted murder
- Corporate manslaughter

- Causing death by dangerous driving
- Causing death by careless driving when under the influence of drink or drugs or having failed either to provide a specimen for analysis or to permit analysis of a blood sample.

This is not an exhaustive list.

Any offence(s)/conviction(s) / cautions of a similar nature resulting in loss of life or intent to cause loss of life will normally result in revocation or refusal to renew. A new licence will not normally be granted.

5.1.15 Terrorism

Terrorism means the use or threat of action where designed to influence the Government or an international governmental organisation or to intimidate the public or a section of the public, for the purpose of advancing a political, religious or ideological cause.

'Action' includes serious violence against a person, serious damage to property, endangering a person's life, other than that of the person committing the action, creating a serious risk to the health or safety of the public or a section of the public, or an act designed to seriously interfere with or seriously to disrupt an electronic system, or the use of firearms or explosives.

This also includes any offence, act or omission linked to a terrorism offence.

Any offence(s)/conviction(s) / cautions relating to terrorism will normally result in revocation or refusal to renew. A new licence will not normally be granted.

5.1.16 Hate Crime

A hate crime is any criminal offence that is motivated by hostility or prejudice based upon the victim's disability, race, sexual orientation, transgender, religion or belief.

- First offence* – will normally revoke or refuse to renew. A new licence will not normally be granted for 7 years following the date of conviction, caution, expiry of a prison sentence or in the absence of these the date of offence or relevant incident.
- Repeat offences* – will normally revoke or refuse to renew. A new licence will not normally be granted.

5.1.17 Plying/Standing for Hire

Convictions for plying/standing for hire and related no insurance offences show that a driver is unable to work within the legal restrictions of a private hire/hackney carriage driver's licence. Offences of this nature generally result in passengers being uninsured during the journey.

- (a) *First offence* – will normally revoke or refuse to renew. A new licence will not normally be granted for 7 years following the date of conviction, caution or in the absence of these the date of offence or relevant incident.
- (b) *Repeat offences* – will normally revoke or refuse to renew the private hire or hackney carriage driver's licence. A new licence will not normally be granted for 12 years following the date of conviction, caution or in the absence of these the date of offence or relevant incident.

5.1.18	Non-Disclosure/Late Disclosure of Relevant Information
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Declarations of information as required by the licensee's conditions are vitally important in order for the Local Authority to review the suitability of licence holders. Failure to declare any of the above can result in unsuitable drivers holding a licence.

- (a) *First offence* – will normally suspend for up to 2 months or refuse to renew. A new licence will not normally be granted for 2 months from the date of revocation or refusal to renew.

This may be abated by completion of a targeted enhanced training course relevant to the breach and will be subject to the licence holder's own expense.

- (b) *Second offence* – will normally suspend for up to 6 months or refuse to renew. A new licence will not normally be granted for 6 months from the date of revocation or refusal to renew.
- (c) *Three or more offences* – will normally revoke or refuse to renew. A new licence will not normally be granted for 3 years from the date of revocation or refusal to renew.

5.1.19	Breach of Licence Conditions / Byelaws
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Licences are issued with conditions and byelaws, applying to them; this is to ensure that the trade operates in a fair and consistent manner. Breaches of conditions/byelaws can result in poor service to customers. Serious breaches of conditions/byelaws will result in a review. A review will also normally be called where a driver/proprietor/operator has persistently breached conditions, in accordance with Regulatory Services enforcement policy.

Where this relates to a driver failing to evidence continuous subscription to the DBS Update Service, the suspension may be up until the expiry date of the licence, or until a new DBS certificate is provided.

- (a) *First offence* – will normally suspend for up to 2 months or refuse to renew. A new licence will not normally be granted for 2 months from the date of revocation or refusal to renew.

This may be abated by completion of a targeted enhanced training course relevant to the breach and will be subject to the licence holder's own expense.

- (b) *Second offence* – will normally suspend for up to 6 months or refuse to renew. A new licence will not normally be granted for 6 months from the date of revocation or refusal to renew.
- (c) *Three or more offences* – will normally revoke or refuse to renew. A new licence will not normally be granted for 3 years from the date of revocation or refusal to renew.

5.1.20	Any other relevant regulatory offences
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This includes regulatory offences under any the Local Government (Miscellaneous Provisions) Act 1976, Town Police Clauses Act 1847 (including 'touting', using/operating private hire vehicles without a licence) as well as any other regime, such as food hygiene legislation.

- (a) *First offence* – will normally revoke or refuse to renew. A new licence will not normally be granted for 7 years following the date of conviction, caution or in the absence of these the date of offence or relevant incident.
- (b) *Repeat offences* – will normally revoke or refuse to renew. A new licence will not normally be granted for 10 years following the date of conviction, caution or in the absence of these the date of offence or relevant incident.

5.1.21	Physical Fitness and Medical Conditions
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Applicants for a hackney carriage and/or private hire driver licence must satisfy the medical fitness standards issued by the Driver and Vehicle Licensing Agency (DVLA), at their own expense. The agreed standard is the Group 2 Standard for vocational drivers.

- (a) In the case of a new application or an application to renew a licence, if the applicant fails to meet the required medical standard the licence will normally be refused. A new licence will not normally be granted for one year after the date of the medical examination or any period advised by an approved medical practitioner.
- (b) In the case of existing licence holders, if a person has a medical condition which falls below the standard outlined in the Group 2 Standard of the published medical standards or they fail to attend medical testing at the request of the Council, the licence may be suspended, revoked, or the renewal of a licence refused, dependent on the nature of the condition along with any recuperation or rehabilitation periods.

5.1.22	Investigation of Serious Offences (involving violence, sexual offences, child sexual exploitation, safeguarding etc.) and unlisted/miscellaneous offences
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Where information is received in relation to an existing licence holder or a new applicant from the Police or other enforcement bodies that an individual(s) are under

investigation or have been under investigation for a matter that relates to any of the offences outlined in sections 5, the Local Authority may consider the information provided and take action in relation to the information provided. This may mean a licence is suspended, revoked, a renewal of a licence or a new licence is refused. The power to suspend or revoke immediately as set out in section 2.2.2 may also be used in these circumstances if it is in the interests of public safety.

Where an offence which is not listed in this document appears in relation to a new licence applicant, a new licence will not normally be granted.

5.1.23	Breach of Requirements as to Control of the Vehicle, such as using a Mobile Phone etc
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This type of offence is treated very seriously as it increases the likelihood of an accident.

- (a) *First offence* – will normally revoke or refuse to renew. A new licence will not normally be granted for 7 years following the expiration of the disqualification period or if not disqualified 7 years from the date of conviction, caution or in the absence of these the date of offence or relevant incident.
- (b) Repeat offences – will normally revoke or refuse to renew. A new licence will not normally be granted for 12 years following the expiration of the last disqualification period or if not disqualified 12 years from the date of conviction, caution or in the absence of these the date of offence or relevant incident.

5.1.24	Health Act
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A hackney carriage or private hire licence is a badge of approval, it states the Local Authority feels the holder is fit and proper and suitable in every way. The standard of behaviour and level of trust expected should be demonstrated in the conduct of those licensed at all times.

Drivers must not smoke (including vaping/e-cigarettes) in a licensed vehicle. Any offence under this act can risk the health of both the driver and passengers.

- (a) *First offence* – will normally suspend for up to 6 months. A new licence will not normally be granted for 6 months following the date of conviction, caution or in the absence of these the date of offence or relevant incident.
- (b) *Repeat offences* – will normally revoke or refuse to renew. A new licence will not normally be granted for 3 years following the date of conviction, caution or in the absence of these the date of offence or relevant incident.

5.1.25	Conduct of Applicants / Licence Holders
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A hackney carriage or private hire licence is a badge of approval, it states the Local Authority feels the holder is fit and proper and suitable in every way. The standard of behaviour and level of trust expected should be demonstrated in the conduct of

those licensed at all times. This includes when drivers are operating beyond the boundary of the licensing authority, where drivers are expected to co-operate with reasonable requests from compliance staff authorised in other areas.

If the applicant or driver/proprietor/operator licence holder's behaviour falls below that expected from a licence holder the following will apply;

- (a) *First instance* – will normally suspend for up to 12 months or refuse to renew. A new licence will not normally be granted for 12 months following a relevant incident or the outcome of any review hearing in relation to the incident, whichever is the later.
- (b) *Repeat instance* – will normally revoke or refuse to renew. A new licence will not normally be granted for 3 years following a relevant incident or the outcome of any review hearing in relation to the incident, whichever is the later.

It should be noted that conduct is a wide-open area and as such there may be occasions where one incident falls so far below the standards expected that a refusal, revocation, suspension or refusal to renew is felt the appropriate course of action, even in the first instance. This may include factors such as improper conduct in other areas, the severity of the conduct, the involvement of passengers or other aggravating factors.

5.1.26	Driving Standards
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Applicants/drivers of hackney carriage and/or private hire driver's licences must satisfy the Local Authority they are able to drive at a standard that meets the National Standard of driving. This includes, but is not limited to, where unauthorised drivers enter a hackney carriage stand (taxi rank) or drivers' using vehicles with unlawful tyres (whether that be with tread below the legal limit or otherwise).

If the applicant/driver's standard of driving falls below that expected of a licence holder the following will apply:

- (a) *First instance* – will normally suspend until outcome of occupational competence/road risk assessment, revoke or refuse to renew. A new licence will not normally be granted for 6 months following the outcome of any review hearing in relation to any incident relating to driving standards. Licensees may abate a licence review for first offences if they attend a road risk assessment, offered at the Council's discretion and at the driver's expense, in advance.
- (b) *Repeat instances* – will normally revoke or refuse to renew. A new licence will not normally be granted for 3 years following the outcome of any review hearing in relation to any incidents relating to driving standards.

5.1.27	Immigration Offences
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Applicants/licence holders must satisfy the Local Authority that they have a right to work in the UK.

Failure of a licence applicant to provide satisfactory documentary evidence of a legal right to work in the UK, whilst performing the licensable activity, will result in refusal of any application.

Failure of a licence holder to provide satisfactory documentary evidence of a legal right to work in the UK, whilst performing the licensable activity, will result in revocation.

For the purpose of these guidelines the following are classed as 'Immigration Offences, however, this is not an exhaustive list:

- Absconding
- Breach of Deportation Order
- Deception (Immigration Act 1971 s24A)
- Entering the United Kingdom without a passport
- Facilitation offences, including 'Assisting unlawful immigration to the UK' (s25) and 'Helping asylum seekers to enter the UK' (s25A) of the Immigration Act 1971
- Facilitating the commission of a breach of UK immigration law
- Failing to co-operate with the re-documentation process
- Illegal / Unauthorised working / employment
- Knowingly arriving in the United Kingdom without valid entry clearance
- Knowingly entering the United Kingdom without leave
- Obstructing an immigration officer
- Possession of false identity documents
- Wrongful disclosure

Any immigration offence(s)/conviction(s)/caution(s) will normally result in revocation or refuse to renew. A new licence will not normally be granted.

5.1.28	Duties to Disabled People - Equality Act 2010
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Licence holders have significant duties to disabled people under the Equality Act, as amended by the Taxis and Private Hire Vehicles (Disabled Persons) Act 2022. The Council medical exemption certificates issued in accordance with Section 171 of the Equality Act must be displayed in accordance with the Council's instructions. Private Hire Vehicle Drivers have a responsibility to ensure that their operator is aware of such a medical condition when they are first employed. Medical testing is at the applicant/licence holder's own expense. Breach of this condition is deemed serious and therefore shall normally result in revocation.

- (a) First instance - A new licence will not normally be granted for 7 years following the date of conviction, caution or in the absence of these the date of offence or relevant incident or the outcome of any review hearing in relation to the incident, whichever is the later. The power to suspend or revoke immediately as set out in 2.2.2 may also be used in these circumstances if it is in the interests of public safety.
- (b) Repeat offences - will normally revoke or refuse to renew. A new licence will not normally be granted.

5.1.29 Environmental Crime Act

A hackney carriage or private hire licence is a badge of approval, it states the Local Authority feels the holder is fit and proper and suitable in every way. The standard of behaviour and level of trust expected should be demonstrated in the conduct of those licensed at all times.

- (a) *First offence* – will normally suspend for up to 6 months. A new licence will not normally be granted for 6 months following the date of conviction, caution, expiry of a prison sentence or in the absence of these the date of offence or relevant incident.
- (b) *Repeat offences* – will normally revoke or refuse to renew. A new licence will not normally be granted for 3 years following the date of conviction, caution, expiry of a prison sentence or in the absence of these the date of offence or relevant incident.

5.1.30 Exploitation

This includes behaviour 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.

For the purpose of these guidelines, the following are offences/situations of exploitation, however, this is not an exhaustive list:

- Abuse
- Child criminal exploitation
- Child sexual abuse/exploitation
- Criminal harassment
- Coercive control
- Conspiracy to intimidate a witness
- Cuckooing
- Exploitation
- Facilitating travel with a view to exploitation
- Forcing someone to work
- Forced marriage
- Grooming
- Possession, making or distribution of child sexual exploitation material
- Psychological, emotional or financial abuse
- Sexual exploitation (including trafficking)
- Slavery
- Stalking
- Trafficking

Any offence(s)/conviction(s)/caution(s) or behaviour of an exploitative nature against any person will normally result in revocation or refusal to renew. A new licence will not normally be granted.

Hackney Carriage Licence Conditions

Notification of Information to Licensing Authority

1. The proprietor must notify the licensing authority within 48 hours of any changes to their name (including trading name), address, telephone number or email address.
2. If the proprietor is a limited company or partnership, change of partners, directors, registered office address or intention to dissolve must be notified to the licensing authority within 48 hours.
3. If the proprietor is a limited company or partnership and it is proposed that a new director or partner joins, the new director or partner must provide a basic DBS certificate dated within the last three months to the licensing authority for consideration prior to them being appointed or joining the partnership.
4. If the proprietor, directors or partners change their name, they must notify the licensing authority and apply for a new DBS certificate declaring their current name and all previous names within 48 hours.
5. The proprietor must notify the licensing authority within 48 hours of any:
 - a. Arrest, police investigation, charge, bail conditions, bail extension, summons, conviction (including foreign convictions), caution, warning, voluntary interview or interview under caution, child abduction warning notice, domestic violence prevention order, anti-social behaviour order, immigration penalty, fixed penalty notices or community resolution order for any offence. This is applicable both for matters in the UK and overseas.
 - b. A notice of intended prosecution, driving licence points, endorsements and disqualifications.
 - c. Public Service Vehicle (PSV) Operator licence written warning, refusal, suspension or revocation.
 - d. Invitation to attend a licence review or licence refusal, suspension or revocation by any other licensing authority. If the other licence is suspended or revoked immediately, the licensing authority must be notified immediately.
 - e. Addition to the DBS Children's or Adults' Barred List.
 - f. The vehicle being seized by police.
 - g. Receipt of a certificate of good conduct/character, or reference in place of those documents.
 - h. Change of residence from overseas to the UK.

The proprietor must make this notification themselves, even if a third party has already notified the licensing authority of the information. This is applicable both for matters in the UK and overseas and where the proprietor is aware that they have committed an offence overseas, they should seek independent advice to ensure that they provide information that is truthful and accurate.

If the proprietor is a limited company or partnership, full details should be given for any of the above imposed on the company, directors or partners.

6. The proprietor must report the loss of their plate to the authority within 48 hours and purchase a replacement.
7. The proprietor must notify the licensing authority as soon as reasonably practicable, and in any case within 72 hours, of the occurrence of any road traffic collision involving the vehicle.
8. The proprietor must return the licence plates to the licensing authority when surrendering or within seven days of the licence's expiry.
9. The proprietor must submit a copy of the certificate of insurance, covering the vehicle for hire and reward at any point in the licence's duration, to an authorised officer of the licensing authority within 48 hours of a request.
10. The proprietor must submit the licence number of the hackney carriage driver who was authorised and insured to use the vehicle at a specific time(s) to an authorised officer of the licensing authority within 48 hours of a request.
11. If the vehicle is wheelchair accessible, the proprietor must ensure that anyone driving is properly trained in advance on the safe embarkation, transport and disembarkation of wheelchair users.
12. If the vehicle is wheelchair accessible, the proprietor must ensure that they provide up to date information to the council for the public register, to include all Hackney Carriage booking offices or Private Hire Vehicle Operators that accept bookings for the vehicle.
13. The proprietor is required to submit to the licensing authority, within 48 hours, information as the authority may reasonably consider necessary to determine whether the proprietor remains fit and proper to hold the licence.

Maintenance of Vehicle

14. The proprietor must ensure that the vehicle is maintained in the condition when it was last approved by the licensing authority upon inspection
15. The proprietor must ensure that the signage required to be displayed by the licensing authority on and in the vehicle remains in place and in good condition at all times.
16. No material alteration or change in the specification, design, condition, appearance of the vehicle shall be made without the prior approval of the licensing authority. Where approval is obtained, the letter of approval must be kept within the vehicle.
17. The proprietor must ensure that no signs, flags, mascots notices, advertisements, plates, marks, numbers, letters, figures, symbols, emblems or devices whatsoever are displayed on, in or from the vehicle.
18. No items are to be hung from or attached to the rear-view mirror.

19. The proprietor must ensure that the vehicle is equipped to allow the vehicle to be driven safely and legally following a tyre puncture. All tyres including the spare/kit must comply with the vehicle manufacturer's specification and the requirements of the Road Vehicles (Construction and Use) Regulations 1986, as amended. This includes tyre condition and minimum tread depth. Tyres must not have been manufactured more than ten years ago.
20. The hackney carriage licence plate must be clearly legible, wholly visible, securely and permanently fixed to the rear exterior of the vehicle, without obscuring the vehicle registration plate, unless an exemption is issued by the licensing authority. Where this is obtained, the exemption letter must be kept within the vehicle. 3D, 4D, ghost or sticker vehicle registration plates are strictly prohibited and will normally result in the revocation of this licence.

Contactless payments

21. The proprietor shall ensure that passengers are able to make payment via contactless card payments.
22. The proprietor shall ensure that all drivers of the vehicle are trained on how to use the contactless card payment device and are aware that passengers must be able to make payment in this manner. Drivers must be trained to support customers to use card readers or count their change.
23. Where a fault in the contactless payment system is identified, the proprietor must notify Licensing Services and arrange repair/replacement within 48 hours.

Vehicle Condition Check

24. The proprietor must ensure that a walkaround check is completed each day by the driver before taking charge of the Hackney Carriage. The walkaround check must be recorded and produced to an authorised officer on request. This may be recorded on taxiwalkaround.wolverhampton.gov.uk

Please note that should you feel aggrieved by any of the conditions in this licence then you have the right of appeal to the Black Country Magistrates' Court within 21 days of the date when this licence is issued.

Private Hire Driver Licence Conditions

Notification of Information to the Licensing Authority

1. The driver must notify the licensing authority within 48 hours of any changes to their name, address, telephone number or email address.
2. The driver must notify the licensing authority within 48 hours of any:
 - a. Arrest, police investigation, charge, bail conditions, bail extension, summons, conviction (including foreign convictions), caution, warning, voluntary interview or interview under caution, child abduction warning notice, domestic violence prevention order, anti-social behaviour order, immigration penalty, fixed penalty notices or community resolution order for any offence.
 - b. A notice of intended prosecution, driving licence points and/or endorsements.
 - c. Revocation of a driving licence or disqualification from driving.
 - d. Public Service Vehicle (PSV) Operator licence written warning, refusal, suspension or revocation.
 - e. Invitation to attend a licence review or licence refusal, suspension or revocation by any other licensing authority. If the other licence is suspended or revoked immediately, the Licensing Authority must be notified immediately.
 - f. Addition to the DBS Children's or Adults' Barred List. The driver must not undertake any journeys if they are on a Barred List.
 - g. Receipt of a certificate of good conduct/character, or reference in place of those documents.

The driver must make this notification themselves, even if a third party has already notified the licensing authority of the information. This is applicable both for matters in the UK and overseas and where the driver is aware that they have committed an offence overseas, they should seek independent advice to ensure that they provide information that is truthful and accurate.

3. In the case of a medical condition that requires notification to the DVLA or means that the driver no longer meets DVLA Group 2 standard, the driver must stop driving immediately and report the matter to the licensing authority.
4. The driver must ensure that they are recognisable from the picture on their driver licence badge by customers and authorised officers. Where the driver's appearance changes substantially or an authorised officer directs it, a new badge must be purchased at the driver's own expense with a current photograph.

5. The driver must report the loss of their badge to the authority within 48 hours and purchase a replacement.
6. Each day, before taking charge of the vehicle, the driver must undertake a walkaround check as prescribed by the licensing authority. The walkaround check must be recorded and produced to an authorised officer on request. Records must be kept for a minimum of 15 months.
7. Whilst driving a private hire vehicle, the driver must be able to provide immediate proof, to a police officer or authorised officer of any licensing authority, of hire and reward insurance.
8. The driver is required to notify the licensing authority if they become the proprietor of a private hire vehicle, but do not receive the transferred licence within 14 days.
9. The driver is required to submit to the licensing authority, within 48 hours, information as the authority may reasonably consider necessary to determine whether the driver remains fit and proper to hold the licence.
10. The driver is required to attend any training that the licensing authority reasonably requires, at their own expense, with any assessment successfully completed. The driver must inform the licensing authority of the outcome of any assessment within 48 hours.

DBS Update Service

11. The driver is required to evidence continuous registration with the DBS Update Service and have the licensing authority nominated as an authority to view their DBS certificate status during the life of this licence. Where a driver is unable to subscribe to the Update Service, a new enhanced DBS certificate must be provided every six months.
12. Should the driver's certificate status on the DBS Update Service change, or the holder change their name, the driver is required to provide evidence to the Licensing Authority that they have applied for a new DBS certificate within 48 hours.
13. The driver must provide any DBS certificates, issued for the position of 'Other workforce – taxi driver' to the licensing authority within 48 hours of receipt.
14. The driver must not undertake any journeys if the licensing authority does not have permission to check the status of the driver's DBS certificate.

Conduct

15. The driver must carry the licence badge issued by the licensing authority on the authority's issued lanyard at all times whilst driving a Private Hire Vehicle. The driver must wear the licence badge around their neck, with the driver's name and photo visible, whilst undertaking private hire work.

16. The driver must not request or retain any personal contact information or attempt to establish a personal relationship with passengers.
17. The driver must not use any offensive, abusive, profane, insulting, discriminatory language or behaviour but shall behave in a civil and orderly manner, as well as co-operating with reasonable requests from officers authorised by other licensing authorities. The driver of a Private Hire Vehicle must permit the vehicle to be inspected by an authorised officer of any licensing authority or police officer at any time.
18. The driver must maintain a high standard of personal hygiene.
19. Smoking of any kind including e-cigarettes and vapes is not permitted by anyone in the vehicle at any time. If a customer smokes in the vehicle, this must be reported to the operator with whom the booking was made immediately after the journey is completed.
20. The driver may be required to undergo drug and/or alcohol testing at any time.
21. If the driver has an exemption certificate issued under Section 171 of the Equality Act 2010, this must face outwards from the front windscreen of the vehicle and be passed to any blind passengers upon request. The driver must notify their operator of the exemption certificate.
22. The driver must not drive if they are tired and must stop in a safe place to rest (not an emergency area or on a hard shoulder of a motorway) if they feel sleepy.
23. The driver must report any concerns relating to safeguarding, suspicious packages or any other criminal wrongdoing to their private hire vehicle operator and (where appropriate) the local authority designated safeguarding contact. Where there is an immediate risk to passengers or the public, the driver must call the police on 999.
24. The driver must not use radio scanner equipment or speed trap detectors.
25. The driver must ensure that no signs, flags, mascots notices, advertisements, plates, marks, numbers, letters, figures, symbols, emblems or devices whatsoever are displayed on, in or from a private hire vehicle they are driving. No items are to be hung from or attached to the rear-view mirror.
26. The driver must not use a private hire vehicle if its tyres, including the spare/kit, do not comply with the vehicle manufacturer's specification and the requirements of the Road Vehicles (Construction and Use) Regulations 1986, as amended. This includes tyre condition and minimum tread depth. Tyres must not have been manufactured more than ten years ago.
27. The driver must not use a private hire vehicle with a 3D, 4D, ghost or sticker vehicle registration plate.
28. Hackney carriage and private hire vehicle drivers' English must be sufficient to understand written documents, such as policies and guidance, including any

relating to the protection of children and vulnerable adults. They must be able to identify and act upon signs of potential exploitation through communicating with passengers and their interaction with others. Drivers are required to demonstrate an understanding of the desired destination, an estimation of the time taken to get there as well as other common passenger requests and for the driver to provide a legibly written receipt upon request. Inadequate English may result in refusal to grant or renew, suspension or immediate revocation of a licence.

Before a journey

29. The driver must make their face clearly visible to passengers, to allow for verification against the photograph on their driver badge.
30. The driver must collect the passenger punctually from the nearest legally accessible carriageway to the pickup location.
31. The driver must make themselves known to passengers upon arrival at the pickup point and provide assistance in identifying the vehicle to any disabled passenger who requests it, at no extra charge. If required, the driver must help passengers enter the vehicle, and stow any of their luggage, mobility aids and pushchairs etc. The driver must accept the carriage of any disabled passenger, taking such steps as are reasonable to ensure that the passenger is carried in safety and reasonable comfort, provide them with mobility assistance as is reasonably required, and securely carry any mobility aids and wheelchairs, at no extra charge.
32. Passengers must be allowed to sit in their choice of licensed seat in the vehicle. The driver must not allow more passengers in the vehicle than the licensed capacity of the vehicle.
33. The driver must treat trainee assistance dogs as though they were assistance dogs.
34. The driver must ensure that passengers are aware of any cashless payment methods before the journey commences, which must be accepted and may not incur additional costs, unless it is a business credit card.
35. If the vehicle has a panic-switch activated audio recording system, the driver must make passengers aware of how to activate the switch.
36. The destination must be confirmed with the passengers before setting off.

During a journey

37. The driver must, unless requested by the passenger, drive to the destination by the cheapest route for the passenger.
38. Any changes to the expected route are to be advised to the passenger.

39. The driver must wear clean clothes, in good condition without any graphics or words of an offensive or political nature. The upper part of the arms and shoulders must be covered.
40. The driver must wear shoes which cover the foot completely to the ankle.
41. Radio or sound reproducing instrument or equipment, other than that for sending or receiving messages in connection with the operation of the vehicle, may not be played in the vehicle unless requested by the passenger.
42. The driver must report any concerns they have over a child or an adult who appears to be under the control, or being negatively influenced by, any person who places them or someone else in harm or at risk of committing criminal offences. Reports should be made to a relevant authority/safeguarding organisation as soon as possible and at most within 24 hours. If there is an immediate risk, the driver must call 999.
43. The driver must not eat during the journey, but may drink water if it is safe to do so. It is for the driver to determine if they wish to allow passengers to eat or drink in the vehicle. The driver must not consume or chew anything that might impair their driving.
44. Passengers must be dropped off in a safe and lawful location, which does not obstruct traffic, as close as practicable to their destination.

After a journey

45. The driver must support customers to use card readers or count their change.
46. If requested by the passenger, a clear, legible written receipt must be provided including the driver's name or licence number, the vehicle registration or licence number, date and time of the journey, along with the fare paid and the operator which accepted the booking.
47. When the journey has completed, the driver must ensure that all passengers have safely exited the vehicle, away from traffic, along with any of their luggage, mobility aids and pushchairs etc. before setting off.
48. The driver must search the vehicle at the end of each journey for any lost property before setting off, which is to be reported to the operator for that booking immediately and taken to that operator within 48 hours.

Please note that should you feel aggrieved by any of the conditions in this licence then you have the right of appeal to the Black Country Magistrates' Court within 21 days of the date when this licence is issued.

Private Hire Vehicle Licence Conditions

Notification of Information to Licensing Authority

1. The proprietor must notify the licensing authority within 48 hours of any changes to their name (including trading name), address, telephone number or email address.
2. If the proprietor is a limited company or partnership, change of partners, directors, registered office address or intention to dissolve must be notified to the licensing authority within 48 hours.
3. If the proprietor is a limited company or partnership and it is proposed that a new director or partner joins, the new director or partner must provide a basic DBS certificate dated within the last three months to the licensing authority for consideration prior to them being appointed or joining the partnership.
4. If the proprietor, directors or partners change their name, they must notify the licensing authority and apply for a new DBS certificate declaring their current name and all previous names within 48 hours.
5. The proprietor must notify the licensing authority within 48 hours of any:
 - a. Arrest, police investigation, charge, bail conditions, bail extension, summons, conviction (including foreign convictions), caution, warning, voluntary interview or interview under caution, child abduction warning notice, domestic violence prevention order, anti-social behaviour order, immigration penalty, fixed penalty notices or community resolution order for any offence. This is applicable both for matters in the UK and overseas.
 - b. A notice of intended prosecution, driving licence points, endorsements and disqualifications.
 - c. Public Service Vehicle (PSV) Operator licence written warning, refusal, suspension or revocation.
 - d. Invitation to attend a licence review or licence refusal, suspension or revocation by any other licensing authority. If the other licence is suspended or revoked immediately, the licensing authority must be notified immediately.
 - e. Addition to the DBS Children's or Adults' Barred List.
 - f. The vehicle being seized by police.
 - g. Receipt of a certificate of good conduct/character, or reference in place of those documents.
 - h. Change of residence from overseas to the UK.

The proprietor must make this notification themselves, even if a third party has already notified the licensing authority of the information. This is applicable both for matters in the UK and overseas and where the proprietor is aware that they have committed an offence overseas, they should seek independent advice to ensure that they provide information that is truthful and accurate.

If the proprietor is a limited company or partnership, full details should be given for any of the above imposed on the company, directors or partners.

6. The proprietor must report the loss of their plate to the authority within 48 hours and purchase a replacement.
7. The proprietor must notify the licensing authority as soon as reasonably practicable, and in any case within 72 hours, of the occurrence of any road traffic collision involving the vehicle.
8. The proprietor must return the licence plates to the licensing authority when surrendering or within seven days of the licence's expiry.
9. The proprietor must submit a copy of the certificate of insurance, covering the vehicle for hire and reward at any point in the licence's duration, to an authorised officer of the licensing authority within 48 hours of a request.
10. The proprietor must submit the licence number of the private hire driver who was authorised and insured to use the vehicle at a specific time(s) to an authorised officer of the licensing authority within 48 hours of a request.
11. If the vehicle is wheelchair accessible, the proprietor must ensure that anyone driving is properly trained in advance on the safe embarkation, transport and disembarkation of wheelchair users.
12. If the vehicle is wheelchair accessible, the proprietor must ensure that they provide up to date information to the council for the public register, to include all operators that invite bookings for the vehicle.
13. The proprietor is required to submit to the licensing authority, within 48 hours, information as the authority may reasonably consider necessary to determine whether the proprietor remains fit and proper to hold the licence.

Maintenance of Vehicle

14. The proprietor must ensure that the vehicle is maintained in the condition when it was last approved by the licensing authority upon inspection
15. The proprietor must ensure that the signage required to be displayed by the licensing authority on and in the vehicle remains in place and in good condition at all times.
16. No material alteration or change in the specification, design, condition, appearance of the vehicle shall be made without the prior approval of the licensing authority. Where approval is obtained, the letter of approval must be kept within the vehicle.
17. The proprietor must ensure that no signs, flags, mascots notices, advertisements, plates, marks, numbers, letters, figures, symbols, emblems or devices whatsoever are displayed on, in or from the vehicle.
18. No items are to be hung from or attached to the rear-view mirror.

19. The proprietor must ensure that the vehicle is equipped to allow the vehicle to be driven safely and legally following a tyre puncture. All tyres including the spare/kit must comply with the vehicle manufacturer's specification and the requirements of the Road Vehicles (Construction and Use) Regulations 1986, as amended. This includes tyre condition and minimum tread depth. Tyres must not have been manufactured more than ten years ago.
20. The private hire vehicle licence plate must be clearly legible, wholly visible, securely and permanently fixed to the rear exterior of the vehicle, without obscuring the vehicle registration plate, unless an exemption is issued by the licensing authority. Where this is obtained, the exemption letter must be kept within the vehicle. 3D, 4D, ghost or sticker vehicle registration plates are strictly prohibited and will normally result in the revocation of this licence.
21. If the vehicle is used exclusively by private hire drivers in an exclusive relationship with the same operator, rear signage approved by Licensing Services may be displayed. Operator signage other than in these circumstances is prohibited.

Local Variant Private Hire Vehicle Licence Conditions

1. The seating configuration may not be changed after the vehicle's licensing inspection.

Please note that should you feel aggrieved by any of the conditions in this licence then you have the right of appeal to the Black Country Magistrates' Court within 21 days of the date when this licence is issued.

Private Hire Vehicle Operator Licence Conditions

Notification of Information to the Licensing Authority

1. The operator must notify the licensing authority within 48 hours of any changes to their name (including trading name), address, telephone number or email address.
2. If the operator is a limited company or partnership, change of partners, directors, registered office address or intention to dissolve must be notified to the licensing authority within 48 hours.
3. If the operator is a limited company or partnership and it is proposed that a new director or partner joins, the new director or partner must provide a basic DBS certificate dated within the last three months to the licensing authority for consideration prior to them being appointed or joining the partnership.
4. If the operator, directors or partners change their name, they must notify the licensing authority and apply for a new DBS certificate declaring their current name and all previous names within 48 hours.
5. The operator must provide a basic DBS certificate to the licensing authority on every anniversary of the date of licence grant, during the life of the licence. The certificate must be dated within three months of submission. If the operator is a company or partnership, a certificate must be provided for each director and partner.
6. The operator must notify the licensing authority within 48 hours of any:
 - a. Arrest, police investigation, charge, bail conditions, bail extension, summons, conviction (including foreign convictions), caution, warning, voluntary interview or interview under caution, child abduction warning notice, domestic violence prevention order, anti-social behaviour order, immigration penalty, fixed penalty notices or community resolution order for any offence. This is applicable both for matters in the UK and overseas.
 - b. A notice of intended prosecution, driving licence points, endorsements and disqualifications.
 - c. Public Service Vehicle (PSV) Operator licence written warning, refusal, suspension or revocation.
 - d. Invitation to attend a licence review or licence refusal, suspension or revocation by any other licensing authority. If the other licence is suspended or revoked immediately, the licensing authority must be notified immediately.
 - e. Addition to the DBS Children's or Adults' Barred List.
 - f. Receipt of a certificate of good conduct/character, or reference in place of those documents.
 - g. Change of residence from overseas to the UK.

The proprietor must make this notification themselves, even if a third party has already notified the licensing authority of the information. This is applicable both for matters in the UK and overseas and where the operator is

aware that they have committed an offence overseas, they should seek independent advice to ensure that they provide information that is truthful and accurate.

If the operator is a limited company or partnership, full details should be given for any of the above imposed on the company, directors or partners.

7. The operator must report any concerns they have over a child or an adult who appears to be under the control, or being negatively influenced by, any person who places them or someone else in harm or at risk of committing criminal offences. Reports should be made to a relevant authority/safeguarding organisation as soon as possible and at most within 24 hours. If there is an immediate risk, the operator must call 999.
8. The operator is required to submit to the licensing authority, within 48 hours, information as the authority may reasonably consider necessary to determine whether the operator remains fit and proper to hold the licence.
9. The operator, or their chosen representative, must attend any audit of their booking records undertaken by the licensing authority at the address on the licence or participate in a remote inspection if required.

Driver Records

10. If the operator partners with a driver who provides a medical exemption certificate, this must be verified with the licensing authority.
11. The operator must record and provide to the licensing authority or police officers, on request, the following details for each private hire driver they are partnered with:
 - a. a copy of their current Private Hire Driver licence.
 - b. a record of when the current Private Hire Driver licence expires.
 - c. a copy of their current DVLA Driving Licence.
 - d. a record of when the current DVLA Driving Licence expires.
 - e. a copy of any medical exemption certificates issued by the licensing authority, which must be verified directly with the licensing authority.
12. If the operator terminates the partnership with a private hire driver due to misconduct, the operator must notify the licensing authority of the full details within 48 hours.

Vehicle Records

13. The operator must record and provide to the licensing authority or police officers, on request, the following details for each private hire vehicle they are partnered with:
 - a. registration number of the vehicle
 - b. Private Hire Licence number
 - c. base call sign (if any)
 - d. make/model/colour of vehicle

- e. a copy of the current Private Hire Vehicle licence
 - f. a record of when the current Private Hire Vehicle licence expires
 - g. a copy of the current insurance policy for the vehicle
 - h. a record of when the current insurance policy expires
14. Where an exclusive relationship exists with a vehicle proprietor and the vehicle's driver, discreet operator signage, approved by the licensing authority, will be permitted. This signage is to be submitted by the operator to the licensing authority for approval in advance.

Recruitment Policies

15. The operator must apply a fit and proper test to all staff with access to customers' sensitive information. This shall include a basic DBS check, or equivalent criminal record check if staff are not UK-based, for all staff and records kept showing the recruitment and decision-making processes, including the operator's written policy on convictions.
16. The operator must keep a register of all workers who accept bookings or dispatch vehicles. This is to be made available to an authorised officer of the licensing authority or police on request.
17. The operator and all workers who are in a role where they interact with members of the public and people managing service delivery must be trained, or have their knowledge and skills assessed, in Child Sexual Exploitation (CSE), safeguarding and disability awareness. They must be trained to understand the operator's duties under the Equality Act 2010. Every worker must sign a record of being trained on these matters and the record must be shown to an authorised officer on request.

Inviting Bookings

18. The operator must have in place an appropriate Public Liability Insurance of at least £5 million cover and, if an employer that is not exempt, Employers' Liability Insurance of at least £5 million cover.
19. The operator must ensure that any publicly accessible premises they provide, whether for the purpose of booking or waiting, are kept clean and adequately heated, ventilated and lit. The operator must ensure that any waiting area which they provide has adequate seating facilities, is for customers only and is kept physically separate from any staff area.
20. The operator must ensure that their customer information provided in hard copy in their premises is also readily available in alternative accessible formats, including large print, Braille, and Easy Read.
21. Operator websites and digital booking platforms (e.g. apps) must comply with the latest WCAG accessibility standard to Level AA and with the principles of the latest Public Sector Bodies (Websites and Mobile Applications) Accessibility Regulations as a minimum.

22. The operator must ensure that customers are aware that their personal details may be shared with the licensing authority if requested.
23. The operator must identify passengers' accessibility needs prior to taking a booking, to ensure an appropriate vehicle is provided.
24. Where a private hire vehicle has 'third row' seats (if passengers must move other seats to enter or exit the vehicle), the operator must advise the hirer in advance that some seats have restricted access and so may be unsuitable for passengers with mobility difficulties.
25. The operator must not dispatch a Public Service Vehicle (PSV) for a booking of fewer than 9 passengers, without first informing the hirer that the driver is subject to different checks and not required to have an enhanced DBS check. The customer must explicitly consent to this driver.
26. The operator must ensure that all advertising materials comply with the Advertising Standards Authority requirements and do not contain offensive, misleading or potentially inflammatory wording which could be seen as defamatory.
27. The operator must not be advertised on any vehicle without the prior permission of the licensing authority.
28. The operator must publish their policy on surcharges for tolls, parking, airport drop-off and any other fees. You must also make it clear in what circumstances your quoted price may change, if it's not binding.

Accepting Bookings

29. Operators must not accept bookings that they are unlikely to be able to fulfil punctually and must notify customers at the earliest opportunity if they are unable to fulfil a booking.
30. For every booking requested for a private hire vehicle, the operator must ask and record:
 - a. any accessibility needs of any of the passengers
 - b. lead passenger's forename and surname
 - c. telephone number, email address or residential address for the hirer
 - d. time and date the booking was requested
 - e. pickup location of the passenger
 - f. scheduled pickup time and date
 - g. main destination
 - h. if cancelled, the time and date of the cancellation request

The operator must also record for every booking requested:

- i. the individual that received the details of the booking (if not recorded by a computer)
- j. If the booking is for a Public Service Vehicle (PSV) with fewer than nine passengers, that the customer consented to this

If the booking is sub-contracted:

- k. the operator to whom the booking is sub-contracted
- l. the time and date the booking was sub-contracted and accepted

The operator shall keep a full and accurate record of:

- m. the individual(s) that accepted and dispatched the booking for a private hire vehicle (if not dispatched by a computer)
- n. the name, vehicle registration mark and licence number of the private hire vehicle booked/dispatched.
- o. the name and licence number of the driver of the private hire vehicle.
- p. the other private hire drivers that responded to the booking request, including those that were unsuccessful in being allocated the booking

For every booking completed, the operator must record:

- q. the drop off location of the last passenger, if different to the main destination.

- 31. These records must be maintained in a bound book with consecutively numbered pages or an appropriate digital booking system, accessible at the operator's address. Records must be kept for 12 months from the date of the journey.
- 32. At all times that an operator is actively dispatching vehicles there shall be an identified phone number on which the operator (or their nominee) is available for contact by authorised officers of the licensing authority.
- 33. Any urgent requests for information must be provided within four hours. All other requests must be responded to within one week.
- 34. The operator must ensure that any personal information obtained during the course of their business is stored securely and only retained for as long as absolutely necessary, in compliance with data protection legislation. Access to this information must be restricted to only those persons who will use it for the purpose for which it was collected.
- 35. The operator shall make provision for the secure storage of lost property (which may contain personal data) left in vehicles and securely dispose of this within six months. There will be a system where all property is logged, including a receipt given to the driver and details of the customer who collects it.

Complaints

- 36. The operator must have a policy for dealing with complaints. All complaints must be kept for 12 months and record:
 - a. the complainant's name
 - b. contact information
 - c. the complaint details
 - d. details of any actions taken by the operator

These details are to be provided to the Licensing Authority on request by an authorised officer.

37. Any safeguarding concerns, reported by a driver or otherwise, must be recorded for 12 months and reported to the licensing authority at the earliest opportunity. For any emergencies (e.g. immediate risk to a child), report this to the police on 999. For anything else, use 101.
38. The operator must notify the licensing authority immediately if a school transport provider excludes a driver from undertaking contract work due to a complaint.
39. Complaints of the following nature must be reported to the licensing authority immediately:
 - a. Dangerous driving
 - b. Discrimination (including any refusals of service to those with assistance dogs and wheelchair users)
 - c. Dishonesty
 - d. Drink driving/driving under the influence of drugs
 - e. Drugs
 - f. Exploitation
 - g. Incidents resulting in death or injury
 - h. Possession of a weapon
 - i. Sexual offences
 - j. Terrorism and extremism
 - k. Violence

Where these complaints relate to a driver and journey, the operator must provide to the licensing authority:

- a. The name of the hirer of the private hire vehicle and their contact details.
 - If applicable, what information relating to the accessibility needs of the passengers was relayed to the driver
- b. Full details of the complaint, including any evidence provided to substantiate it, as well as any evidence arising from the initial investigation by the operator.
- c. Summary of any previous complaints from the complainant to the operator.
- d. Booking records for the journey and if the journey end point was the requested destination or another location.
- e. The name of the driver.
- f. The licence number of the driver.
- g. The licence number and VRM of the relevant private hire vehicle.
- h. Whether the customer/passenger changed the destination of the journey at any point, or request any additional stops, if known.
- i. Where available, mapping and telemetry details of the vehicle's movement from the acceptance of the booking until the acceptance of the next booking.

- j. If a refusal/cancellation:
- whether the journey was cancelled/refused by the driver or the passenger
 - the reason for the cancellation/refusal
 - details of the communication between the customer and the driver, prior to the cancellation of the fare
 - details of the communication between the operator and the driver, following the cancellation of the fare
 - where available, mapping and telemetry details of the vehicle's movement after cancellation, detailing the next booking the driver accepted.
- k. any other relevant complaints received concerning the driver

Local Variant Private Hire Vehicle Operator Licence Conditions

1. Any safeguarding concerns for incidents in Wolverhampton, reported by a driver or otherwise, must be recorded for 12 months and reported to the City of Wolverhampton Council Social Care Team on 01902 555 392 at the earliest opportunity.

Please note that should you feel aggrieved by any of the conditions in this licence then you have the right of appeal to the Black Country Magistrates' Court within 21 days of the date when this licence is issued.

Proposed Fees and Charges for Hackney Carriage and Private Hire Licences 2026-2027

	Licence Type/Function		Fees and Charges For 2025-2026 £	Proposed Fees and Charges For 2026-2027 £
1.0 Drivers				
1.1	Hackney Carriage / Private Hire Driver / Dual Licence	1 year licence (new/renewal)	69	78
1.2		3 year licence (new/renewal)	138	156
1.3	Conversion from Hackney Carriage or Private Hire Licence to Dual Licence.		69	78
1.4	Application Fast Track New / Renewal		100	100
1.5	Hackney Carriage / Private Hire Driver Training Programme and Test		50	50
1.6	Hackney Carriage / Private Hire New Applicants Driver Training Immediate Re-test		20	20
1.7	Hackney Carriage / New Applicants Practical Driving Assessment		80	80
1.8	New applicant Right to work in the UK check		125	125
1.9	Renewal applicant Right to work in the UK check		25	25
2.0 Hackney Carriage Vehicles				
2.1	Vehicle aged under 16 years old - 1 year licence New / Renewal		175	175
2.2	Exceptional Condition Assessment of Hackney Carriage Vehicle aged 16 years and each subsequent 6 months		120	120
2.3	Application Fast Track New / Renewal		180	180
3.0 Private Hire Vehicles				
3.1	Vehicle licence application (normally 12 months, 6 months if vehicle is more than 10 years old)		175	175
3.2	Application Fast Track New / Renewal		180	180

4.0 Small Private Hire Vehicle Operators (Up to 4 vehicles)				
4.1	1 year licence	New	1,000	1,000
4.2		Renewal	250	250
4.3	5 year licence	Renewal	750	750
4.4 Large Private Hire Vehicle Operators (Over 4 vehicles)				
4.5	1 year licence	New	1,000	1,000
4.6		Renewal	750	750
4.7	5 year licence	Renewal	3,000	3,000
5.0 Mini-bus Permits and Disc				
5.1	5 year permit New / Renewal / Replacement		25	25
6.0 Miscellaneous Charges				
6.1	Rebooking a hearing appointment		70	70
6.2	Non-statutory information request		50	50
6.3	Replacement driver badge (x2, delivered)		5	5
6.4	Licence Plate Bracket and Pins		14	14
6.5	Pack of four spare pins and two sticky pads		1	1
6.6	Internal Driver Licence Pouch		1	1
6.7	Lanyard and badge holder		1	1
6.8	Lanyard and badge holder (delivered)		4	4
6.9	Replacement for lost/stolen vehicle licence plates		37	37
7.0 Hourly Recharge Costs				
7.1	Grade 4		46	48
7.2	Grade 5		63	65
7.3	Grade 6		73	76
7.4	Grade 7		85	88
7.5	Grade 8		92	95
7.6	Grade 9		101	105