

LICENSING COMMITTEE

Wednesday, 16 March 2022

5.30 pm

**Committee Rooms 1-2, City
Hall**

Membership: Councillors Loraine Woolley (Chair), Pat Vaughan (Vice-Chair), Biff Bean, Bill Bilton, Alan Briggs, Liz Bushell, David Clarkson, Matthew Fido, Jane Loffhagen, Adrianna McNulty, Clare Smalley and Calum Watt

Officers attending: Tom Charlesworth, Ian Cullen, Legal Services, Democratic Services, Becky Scott and Victoria Poulson

A G E N D A

SECTION A	Page(s)
1. Confirmation of Minutes - 17 November 2021	3 - 8
2. Declarations of Interest	
Please note that, in accordance with the Members' Code of Conduct, when declaring interests members must disclose the existence and nature of the interest, and whether it is a disclosable pecuniary interest (DPI) or personal and/or pecuniary.	
3. Hackney Carriage and Private Hire minutes of previous meeting/s	
(a) 24 November 2021	9 - 10
(b) 16 December 2021	11 - 14
(c) 27 January 2022	15 - 18
(d) 24 February 2022	19 - 20
4. Statutory Taxi and Private Hire Vehicle Standards	21 - 80

This page is intentionally blank.

Present: Councillor Loraine Woolley (*in the Chair*),
Councillor Biff Bean, Councillor Alan Briggs, Councillor
Liz Bushell, Councillor David Clarkson, Councillor
Clare Smalley, Councillor Calum Watt and Councillor
Pat Vaughan

Apologies for Absence: Councillor Bill Bilton, Councillor Matthew Fido, Councillor
Jane Loffhagen and Councillor Adrianna McNulty

1. Confirmation of Minutes - 20 January 2021

RESOLVED that the minutes of the meeting held on 20 January 2021 be confirmed and signed by the Chair as an accurate record.

2. Declarations of Interest

No declarations of interest were received.

3. Hackney Carriage and Private Hire minutes of previous meeting/s

(a) 25 February 2021

RESOLVED that the minutes of the Hackney Carriage and Private Hire Sub-Committee held on 25 February 2021 be confirmed.

(b) 29 July 2021

RESOLVED that the minutes of the Hackney Carriage and Private Hire Sub-Committee held on 29 July 2021 be confirmed.

(c) 2 September 2021

RESOLVED that the minutes of the Hackney Carriage and Private Hire Sub-Committee held on 2 September 2021 be confirmed.

(d) 29 September 2021

RESOLVED that the minutes of the Hackney Carriage and Private Hire Sub-Committee held on 29 September 2021 be confirmed.

(e) 7 October 2021

RESOLVED that the minutes of the Hackney Carriage and Private Hire Sub-Committee held on 7 October 2021 be confirmed.

(f) 28 October 2021

RESOLVED that the minutes of the Hackney Carriage and Private Hire Sub-Committee held on 28 October 2021 be confirmed.

4. **Gambling Act 2005 Triennial Review of Statement of Licensing Policy**

Francesca Bell, PPASB and Licensing Service Manager

- a) presented a report to update Licensing Committee on the result of the consultation on the Gambling Act 2005 Triennial Review of the Statement of Licensing Policy, under the Gambling Act 2005.
- b) explained the background to the consultation process covering the following main points:
 - The Gambling Act 2005 required a Licensing Authority to publish its statement of Licensing Policy at least every three years; the current statement was due to expire on 31 January 2022.
 - The draft policy, as detailed within Appendix A of the report, was forwarded to a total of 47 persons/organisations and to every member of the Licensing Committee as well as being placed on the Councils website.
 - The consultation period commenced on 26 August 2021 and concluded on 8 October 2021. A total of 2 responses were received.
 - The first response was received on behalf of Gambleaware who were thankful for inclusion in the consultation and offered guidance, recommending two documents published by the Local Government Association, as detailed at Appendix B to the report, be incorporated into the policy. It was felt that reference to such non statutory documents was not required, however, they would serve as a valuable tool alongside the policy when performing functions under the Act.
 - The second response was received from Gosschalks Solicitors on behalf of the Betting and Gambling Council, (Appendix C referred)
 - Contact was made with the author of the letter and points raised were discussed. It was felt that the policy was currently sufficiently broad in nature. Each application for a premises licence was dealt with on its own merits, additional conditions could be imposed as required/if a particular issue emerged when a risk assessment was conducted.
 - The review of policy saw amendments to include updated GDPR and Data Protection elements that had arisen since the policy was last reviewed.
- c) requested that consideration be given to the policy prior to recommendation to full Council for approval.

The Chair thanked Francesca for a thorough report and welcomed any comments and questions from members. The following suggested amendments emerged from discussions held:

- The format of the policy felt inconsistent.
- There was a lack of blank lines between paragraphs.
- Throughout, there was reference to both 'the licensing authority' and 'this licensing authority'. It was concluded that as this would be a policy for the City of Lincoln Council, consistent use of 'the licensing authority' would be sufficient.

- At page 4 of the policy, section 5.2, there was no indentation of the words following 'the policy is:' For clarity, it was suggested that this action be added to the final policy document
- At page 3 of the policy, section 2.11, the hyperlink to the Lincoln City Profile should be embedded in the document with a link to take the reader directly to it.
- At page 3 of the policy, section 2.4, due to partnership work with County Licensing groups, reference to a commonality of approach with other Local Authorities would be useful.
- At page 16 of the policy, section 2.3, revision of verb use, 'the Local Authority will expect' to 'the Local Authority will adopt as approved' was necessary to clarify future activities.

The Chair gave thanks for comments received.

RESOLVED that subject to relevant amendments to the policy as detailed above, the Gambling Act 2005 Statement of Principles Policy 2022-2025 be referred to full Council for approval.

5. Exclusion of Press and Public

RESOLVED that the press and public be excluded from the meeting during consideration of the following item(s) of business because it is likely that if members of the public were present there would be a disclosure to them of 'exempt information' as defined by Section 100I and Schedule 12A to the Local Government Act 1972.

6. Suspension / Revocation of a Private Hire Vehicle Licence

Tom Charlesworth, Licensing Officer:

- a) presented a report to Licensing Committee to seek a decision on whether a private hire vehicle licence should be suspended or revoked in accordance with section 60 of the Local Government (Miscellaneous Provisions) Act 1976 (the Act)
- b) referred to The Hackney Carriage and Private Hire Licensing Policy which stated: *"Failure to comply with the terms of Part II of the Local Government (Miscellaneous Provisions) Act 1976, road traffic legislation and the licensing standards, conditions and requirements of the Council may lead to suspension and/or revocation of the licence."*
- c) added that condition 19 of the conditions attached to a private hire vehicle licence stated: *"The Operator or person to whom a licence is granted shall at all times operate the vehicle in compliance with the terms of Part II of the Local Government (Miscellaneous Provisions) Act 1976 and failure so to do may result in the Licence being suspended or revoked."*
- d) stated that on 24 June 2021 a notice of revocation was issued to a private hire vehicle licence holder together with a covering letter, followed up with an e mail sent on 28 June 2021 in which he was informed that his private hire driver's licence had been revoked by the City of Lincoln Council with immediate effect due to grounds related to his arrest and being charged

with conspiracy to supply Class A drugs, as detailed within paragraph 4.1 of the officer's report

- e) reported that the decision to revoke the private hire driver's licence was carried out by the licensing team in conjunction with Legal Services, in accordance with the scheme of delegations found in the Hackney Carriage and Private Hire Licensing Policy; however, the suspension/revocation of a private hire vehicle licence was delegated to the Licensing Committee
- f) confirmed that due to failure by the licence holder to respond to the Licensing Team, investigations revealed that he was held on remand at HM Prison although a revocation notice sent by recorded delivery to this address failed to receive a response
- g) referred to Appendices A, B and C of the report in which the notice of revocation alongside the covering letters could be viewed together with Appendix D which contained the email sent to the licence holder. In addition, Royal Mail proof of delivery was documented at Appendix E and a copy of the private hire vehicle licence at Appendix F
- h) confirmed that the licence holder was remanded in prison until the start of his trial and therefore unable to attend tonight's hearing
- i) added that it was worth noting that although the Council revoked the licence, it would have expired in September 2021; no application was made by the licence holder or any person on his behalf to renew it, therefore, regardless of the outcome of any appeal, the licence holder would need to apply for a Private Hire driver's licence with the Council before he could work for a private hire operator in Lincoln
- j) explained that the Committee was asked to determine whether the licence holders private hire vehicle licence should be suspended or revoked in accordance with section 60 of the LG (MP)A 1976, on the following grounds, namely: -
 - (c) any other reasonable cause
- k) advised that the Licensing Committee may also wish to consider the vehicle itself and whether any potential future passengers may be placed in danger through it being associated with its current proprietor/licence holder and/or the potential for the vehicle to be used for criminal activity
- l) reported that the licence holder under Section 60 of the Local Government (Miscellaneous Provisions) Act 1976 was entitled to appeal to a Magistrates Court against the decision of a district council
- m) highlighted that a period of suspension could not be administered for punitive reasons, and that it should only be used where the licence holder was able to undertake some form of remedial action which would then allow the suspension to be lifted; this was not possible due to the licence holder being remanded in prison
- n) requested Member's consideration of the matter to be determined.

Discussions took place between members, legal services, and licensing officers.

The Decision was made as follows:

That the private hire vehicle licence be revoked

Reason for the Decision

1. The Committee shared concerns for the safety of future passengers should an association between the licence holder and the vehicle be made if the private hire vehicle licence was still active.
2. The Committee had concerns regarding the potential continuation of criminal activity if the vehicle continued to be licensed as a private hire vehicle, through the City of Lincoln Council and driven by another licensed driver, especially as it would be extremely difficult for any criminal connection between the licence holder and any such driver to be proved.

The Committee were informed that once notice was served, the licence holder had 21 days to appeal the decision.

This page is intentionally blank.

Present: Councillor Pat Vaughan (*in the Chair*),
Councillor Loraine Woolley, Councillor Alan Briggs and
Councillor David Clarkson

Apologies for Absence: Councillor Adrianna McNulty

23. Confirmation of Minutes - 28 October 2021

RESOLVED that the minutes of the meeting held on 28 October 2021 be confirmed.

24. Declarations of Interest

No declarations of interest were received.

25. Exclusion of Press and Public

RESOLVED that the press and public be excluded from the meeting during consideration of the following item(s) of business because it is likely that if members of the public were present there would be a disclosure to them of 'exempt information' as defined by Section 100I and Schedule 12A to the Local Government Act 1972.

26. To Interview an Applicant for a Private Hire Driver's Licence who is Unable to Provide a Certificate of Good Conduct - item No: 09/2021

The Licensing Officer:

- a) stated that the applicant applied for a new Private Hire Drivers Licence in August 2021
- b) explained that the applicant was unable to provide the Licensing Team with a certificate of good conduct from where he was originally from
- c) highlighted that the applicant came to the UK in October 2011 and had held a UK driving licence since January 2017
- d) highlighted that the applicant passed the knowledge test on his first attempt scoring 8 out of 10 as well as achieving a low risk on the Driver Improvement Programme

The Sub-Committee questioned the applicant and received responses from the applicant.

The Decision was made as follows:

That the applicant be granted a Private Hire Drivers Licence.

Reasons for the Decision:

1. The Sub-Committee believed that the applicant was polite and came across well.
2. The applicant scored well on his knowledge test and achieved a low risk on the Driver Improvement Programme.
3. The applicant previously had a skilled job which was impacted by COVID and he moved to Lincoln for a new start.
4. The applicant was currently working as a delivery driver, and he knew the Lincoln area well.
5. The Sub-Committee could not find any valid reasons why the applicant should be refused a private hire driver's licence.

Present: Councillor Pat Vaughan (*in the Chair*),
Councillor Loraine Woolley, Councillor Alan Briggs,
Councillor Adrianna McNulty and Councillor
David Clarkson

Apologies for Absence: None.

27. Confirmation of Minutes - 24 November 2021

RESOLVED that the minutes of the meeting held on 24 November 2021 be confirmed.

28. Declarations of Interest

No declarations of interest were received.

29. Exclusion of Press and Public

RESOLVED that the press and public be excluded from the meeting during consideration of the following item(s) of business because it is likely that if members of the public were present there would be a disclosure to them of 'exempt information' as defined by Section 100I and Schedule 12A to the Local Government Act 1972.

30. To Interview an Applicant for a Private Hire Driver's Licence who has Disclosed Previous Offences - Item Number: 10/2021

The Licensing Officer:

- a) stated that the applicant applied for a new Private Hire Drivers Licence in August 2021
- b) explained that the applicant declared two offences in his application, which he pleaded guilty to
- c) highlighted that a DBS check was requested and upon its return showed a clean criminal record
- d) highlighted that the applicant had held a full UK driving licence since August 2018, prior to this he held an Algerian Driving Licence
- e) explained that the applicant had provided a certificate of good conduct from Algeria, which stated he had no criminal record in the Country.
- f) highlighted that the applicant passed the knowledge test on his first attempt and scored 9 out of 10 as well as achieving the required pass mark on the Driver Improvement Programme
- g) explained that within the current Policy in relation to relevant convictions it stated the following:

'A serious view will be taken of convictions of driving or being in charge of a vehicle without insurance. An isolated incident in the past will not necessarily stop a licence being granted provided he/she has been free of conviction for 3 years, however strict warning should be given as to future behaviour'.

The Licensing Officer asked the applicant if he required an interpreter but he declined. The Sub-Committee questioned the applicant and received responses from the applicant.

The Decision was made as follows:

That the applicant be granted a Private Hire Drivers Licence.

Reasons for the Decision:

1. The Sub-Committee believed that the applicant was remorseful of his offences and was very polite.
2. The applicant came well prepared for the hearing and it was noted that he said he had gained a masters degree.
3. The applicant had no criminal record and he passed the knowledge test on his first attempt scoring 9 out of 10 as well as achieving the required pass mark on the Driver Improvement Programme.
4. **The Sub-Committee could not find any valid reasons why the applicant should be refused a private hire driver's licence.**

31. **To Interview an Existing Driver who has 10 Current Penalty Points - Item Number: 11/2021**

The Licensing Officer:

- a) stated that the applicant had held a Private Hire Driver's Licence since at least 2004 as this is as far as our records went back
- b) highlighted that the applicant made an application for a re-licence on 2 December 2021
- c) explained that the applicant declared that in March 2021 he had received 3 penalty points
- d) highlighted that a driving licence check was requested and on its return showed 3 offences with a total of 10 points on his licence
- e) explained that within the current Policy in relation to penalty points it stated the following:

'if a driver receives 9 or more penalty points for minor or some hybrid traffic offences, the matter will be referred to the Hackney Carriage and Private Hire Sub-Committee for a hearing. The driver will be expected to address the issues before the Sub-Committee'

- f) explained that Condition 10 was attached to all Private Hire Drivers Licences and it stated the following:

' All convictions, criminal finding of guilt (including fixed penalty tickets), cautions and warning, whether for motoring or other offences and County Court Judgements/Orders (where the judgement or order relates to a debt or charge to another Hackney Carriage/Private Hire driver, owner or operator) after the issue of the licence and during its currency must immediately after the date of conviction, criminal findings of guilt (including fixed penalty tickets), cautions and warnings, be communicated in writing to the Licensing Authority. Failure to do so may result in proceedings being taken against you, suspension or revocation of the licence'.

The Sub-Committee questioned the applicant and received responses from the applicant.

The Decision was made as follows:

That the applicant be granted a Private Hire Drivers Licence.

Reasons for the Decision:

1. The Sub-Committee believed that the applicant was remorseful, genuine and came across as being embarrassed by making a mistake and took complete ownership of his offences.
2. The applicant had held a private hire driver's licence for 27 years and had never been to the Sub-Committee. The Sub-Committee believed that the applicant had had a string of bad luck.
3. The offences did not take place in a taxi and were in the applicants own vehicle.
4. The applicant was honest and admitted the offences, understanding that any further offences may result in his driving licence being revoked.
5. The applicant had completed his BTECH and a speed awareness course.
6. **The Sub-Committee could not find any valid reasons why the applicant should be refused a private hire driver's licence.**

This page is intentionally blank.

Present: Councillor Pat Vaughan (*in the Chair*),
Councillor Loraine Woolley, Councillor Alan Briggs,
Councillor Adrianna McNulty and Councillor
David Clarkson

Apologies for Absence: None.

32. Confirmation of Minutes - 16 December 2021

RESOLVED that the minutes of the meeting held on 16 December 2021 be confirmed and signed by the Chair as an accurate record.

33. Declarations of Interest

No declarations of interest were received.

34. Exclusion of Press and Public

RESOLVED that the press and public be excluded from the meeting during consideration of the following item(s) of business because it is likely that if members of the public were present there would be a disclosure to them of 'exempt information' as defined by Section 100I and Schedule 12A to the Local Government Act 1972.

35. To Interview an Applicant who has Previously had a Hackney Carriage Drivers Licence Revoked

The Licensing Officer:

- a) stated that the applicant submitted an application for a new Hackney Carriage driver's license in September 2021
- b) explained that the applicant previously held a Hackney Carriage driver's license from September 2009 until September 2018 when his license was revoked by the Sub Committee. He added that a copy of the 2018 report and appendixes were attached at Appendix A to the report and that the decision notice was attached at Appendix B
- c) highlighted that the applicant came into City Hall on Monday 6 August 2018 for a re-license appointment within which he was asked if he had received any convictions or criminal findings of guilt such as fixed penalty notices
- d) added that the applicant had nine penalty points on his driving license of which he failed to disclose three points
- e) explained that within the current Policy in relation to informing the Council about criminal findings of guilt it stated the following:

Licensed drivers must notify the Council in writing immediately of any criminal convictions, findings of guilt (including fixed penalty tickets), cautions and warnings, whether for motoring or other offences, and any breaches of this requirement may result in the suspension of the license and the matter will be referred to the Licensing Committee for consideration.

- f) explained that in addition to the applicant's failure to disclose three penalty points, there had been a number of complaints made against him and it was also alleged that he had committed offences
- g) highlighted that the applicant appealed the revocation decision to Magistrates Court where the decision of the Sub Committee was upheld
- h) highlighted that a DVLA check was carried out which showed the applicant held a full and clean UK driving license
- i) added that the applicant had also been required to complete the knowledge test and DIP test, both of which he passed on his first attempt
- j) confirmed that Members were to determine whether the applicant was a fit and proper person to hold a Hackney Carriage Driver's License

The Sub-Committee questioned the applicant and received responses from the applicant.

The Decision was made as follows:

That the application for the grant of a new Hackney Carriage driver's license be refused.

Reasons for the Decision:

The Sub-Committee was not satisfied that the applicant was a fit and proper person to hold a licence. In reaching the decision the Sub-Committee considered that:

1. The applicant showed very limited regret in response to the significant volume of complaints, speeding offences, and a relevant criminal conviction which the Sub-Committee had highlighted to the applicant regarding his previous time as a licence holder.
2. The applicant's persistent and general reluctance to accept that he had been at fault in his earlier behaviour prevented the Sub-Committee from determining that he had become a fit and proper person to hold a licence since the revocation. In the absence of relevant corroborating evidence from the applicant, the passage of time since the earlier revocation was insufficient in this instance to allow the Sub-Committee to determine that the applicant was a fit and proper person to hold a licence.
3. The applicant had failed to demonstrate that he had a proper understanding of the rules pertaining to his conduct as a Hackney Carriage vehicle driver. The applicant highlighted his limited ability to read and write as being a mitigating factor in his previous failure to complete forms

accurately and to be fully aware of rules affecting his licence. The Sub-Committee noted the mitigating factor, while determining that for the safety of the travelling public, an applicant should be familiar with all relevant rules regardless of his level of literacy.

4. The applicant confirmed that he was able to read road and traffic signs properly. The Sub-Committee noted the applicant's BTEC qualification and the applicant's explanation that he had achieved this through the assessment of his work as part of a group rather than through individual assessment.
5. Limited weight should be placed upon the prior speeding offences. While at one time the applicant would have accrued 12 active penalty points, he confirmed that he believed he had attended a speed awareness course. Furthermore, the applicant currently held a clean driving licence. While observing the laws relating to driving was a serious matter, the prior offences would not have precluded the applicant from being granted a licence.
6. The applicant had been engaged in supporting his family since the revocation of his licence and did not adduce any evidence as to how he had remedied the behaviour which had led to the earlier revocation. The Sub-Committee noted that the applicant's opportunities to accrue such evidence may have been limited by the Coronavirus pandemic and his own personal circumstances. However, the Sub-Committee needed to be convinced that the applicant was a fit and proper person to hold a licence and had not been presented with sufficient evidence to reach that conclusion.
7. As in the earlier decision of the Sub-Committee to revoke the applicant's licence, the overriding duty of the Sub-Committee was to protect the public. The Sub-Committee determined that the applicant had failed to demonstrate was a fit and proper person to hold a licence and so his application was refused.
8. If submitting a future application, the applicant should be advised to provide supporting evidence to demonstrate whether he was a fit and proper person to hold a licence. Given the weight of historic negative evidence regarding his prior performance, the Sub-Committee would have particular regard to any character references the applicant could supply. Noting that the applicant had failed to provide evidence on this occasion after more than three years, a further period of two years was felt to be appropriate in order for the applicant to provide proper evidence as to whether he was a fit and proper person to hold a licence.

This page is intentionally blank.

Present: Councillor Pat Vaughan (*in the Chair*),
Councillor Loraine Woolley, Councillor Alan Briggs,
Councillor Adrianna McNulty and Councillor Matthew Fido

Apologies for Absence: Councillor David Clarkson

36. Confirmation of Minutes - 27 January 2022

RESOLVED that the minutes of the meeting held on 27 January 2022 be confirmed.

37. Declarations of Interest

No declarations of interest were received.

38. Exclusion of Press and Public

RESOLVED that the press and public be excluded from the meeting during consideration of the following item(s) of business because it is likely that if members of the public were present there would be a disclosure to them of 'exempt information' as defined by Section 100I and Schedule 12A to the Local Government Act 1972.

39. To Interview An Applicant For A Private Hire Driver's License Who Is Unable To Provide A Certificate Of Good Conduct

The Licensing Officer:

- a) stated that the applicant applied for a new Private Hire Drivers Licence in November 2021
- b) explained that the applicant was unable to provide the Licensing Team with a certificate of good conduct from Afghanistan where he was originally from
- c) highlighted that a DBS check was requested and upon its return showed one conviction
- d) highlighted that the applicant had held a full UK driving licence since March 2013 and currently had no penalty points
- e) explained that the applicant passed the knowledge test on his second attempt and scored 8 out of 10 as well as passing the Driver Improvement Programme on his first attempt

The Sub-Committee questioned the applicant and received responses from the applicant.

The Decision was made as follows:

That the applicant be granted a Private Hire Drivers Licence.

Reasons for the Decision:

1. The Sub-Committee believed that the applicant presented himself well and answered all the questions he was asked well.
2. The applicant had good knowledge of Lincoln due to his current job.
3. The applicant was born in a country from which officers understood it to be difficult to obtain certificates of good conduct. The results of the Council's usual checks and the evidence provided by the applicant as to his suitability to become a private hire vehicle driver satisfied the Sub-Committee that the applicant was a fit and proper person to hold a licence.

SUBJECT:	STATUTORY TAXI AND PRIVATE HIRE VEHICLE STANDARDS REPORT
DIRECTORATE:	DIRECTORATE OF COMMUNITIES AND ENVIRONMENT
REPORT AUTHOR:	IAN CULLEN, LICENSING TEAM LEADER

1. Purpose of Report

1.1 To seek approval for the implementation of the statutory taxi and private hire vehicle standards and how the standards operate in the Council.

2. Executive Summary

2.1 On the 21 July 2020 the Department for Transport (DfT) published new Statutory Taxi and Private Hire Vehicle Standards (the Standards) to all licensing authorities. The Standards are aimed at safeguarding children and vulnerable adults. A copy of the Standards being found at **Appendix A**.

2.2 This report sets out a proposal for the way in which the Standards are going to be implemented by the Council.

3. Background

3.1 On the 21 July 2020 the Secretary of State for Transport published new Statutory Taxi and Private Hire Vehicle Standards to all licensing authorities. The Standards are aimed at safeguarding children and vulnerable adults.

3.2 The Standards were developed to set-out a range of robust measures to protect taxi and private hire vehicle passengers, particularly those most vulnerable.

3.3 The Standards are the result of extensive consultation with the police, the trade, the Institute of Licensing and others and sets out the approach that Licensing Authorities should adopt when carrying out their functions. Whilst the Standards are guidance and not compulsory, the DfT expects the recommendations laid out to be implemented by licensing authorities unless there is a compelling local reason not to do so.

3.4 This authority has already previously implemented a number of the recommendations of its own volition, but the guidance provides the opportunity to consider further changes.

3.5 Unlike the Licensing Act 2003 and the Gambling Act 2005, the legislation that specifically controls the licensing of hackney carriages and private hire vehicles,

drivers and operators, does not contain provisions that directly require the Council to prepare and publish a hackney carriage and private hire licensing policy in a particular manner.

- 3.6 It is the intention that a full review of the Council's current Hackney Carriage & Private Hire Licensing Policy will be undertaken later this year, to be concluded by early 2023. However, it is felt that the implementation of the new standards should not wait until this has been completed.
- 3.7 There is already clear alignment between the Council's Policy and the majority of the requirements set out in the Standards. Nevertheless, for the purposes of decision making, where any anomalies exist between the Policy and the Standards, the requirements of the Standards should take precedence over the requirements set out in the Council's Policy. Each application and review of an existing licence will continue to be determined on their own merits.
- 3.8 A working party of members and officers was created to analyse the statutory standards document and to identify areas within the guidance that differed from the Council's current policy and procedures. It was identified that many standards suggested by the DfT were already within City of Lincoln Council policy and only a few changes were required to be completed.
- 3.9 Following the analysis of the Standards a consultation document was produced covering 14 standards which the Council would need to consider adopting to meet the DfT standards. This document together with the working party recommendations can be found at **Appendix B**.
- 3.10 Appendix B includes proposed timescales for implementation as suggested by officers. The majority of the criteria will be in place within 6 months, with some standards able to be implemented far sooner. This gives officers time to amend application forms, formulate conditions and allow ample time to notify operators, drivers and proprietors of the changes to policy and procedure.

4. Consultation

- 4.1 A consultation was held from 17th January 2022 to 21st February 2022, requesting feedback from members of the trade, stakeholders and members of the public regarding the proposed changes to policy, conditions and procedures. A survey document was produced and circulated to all Private Hire operators, PH/HC proprietors and PH/HC drivers as well as other key stakeholders. In total over 500 different individuals and bodies were consulted. The consultation was also posted on the Council website.
- 4.2 The Council received 2 responses to this consultation exercise. One from a Lincoln licensed Hackney carriage driver and one from a Lincoln licensed Private hire driver. Their responses can be seen at **Appendices C and D** respectively.
- 4.3 The consultation responses and comments were considered by the Licensing Team Leader and Licensing Officers. Comments received and results presented did not provide a compelling or strong reason as to why the Council should not implement the proposed changes.

5. Strategic Priorities

No impact on any priorities

6. Organisational Impacts

6.1 Finance (including whole life costs where applicable)

The financial implications associated with the recommendation are limited to the employee costs associated with undertaking the exercise. These costs are recovered through the licensing fees.

6.2 Legal Implications including Procurement Rules

Section 177 of the Policing and Crime Act 2017 enables the Secretary of State to issue guidance to Licensing Authorities as to how their taxi and private hire vehicle licensing functions may be exercised so as to protect children and vulnerable adults and requires authorities exercising their licensing functions to have regard to it. Licensing Authorities have a legal duty to have regard to the minimum standards – this means that the Authority must take the standards into account and must give clear reasons for any departure from them.

6.3 Equality, Diversity and Human Rights

The Public Sector Equality Duty means that the Council must consider all individuals when carrying out their day-to-day work, in shaping policy, delivering services and in relation to their own employees.

It requires that public bodies have due regard to the need to:

- **Eliminate discrimination**
- **Advance equality of opportunity**
- **Foster good relations between different people when carrying out their activities**

There are no equality implications arising from the recommendations of this Report.

7. Risk Implications

7.1 (i) Options Explored

Whether or not to implement the recommended standards as set out by DfT.

7.2 (ii) Key risks associated with the preferred approach

None. By considering and adopting the DfT standards the Council has met its legal obligation to have regard of the standards.

8. Recommendations

- 8.1 Members are recommended to approve the new standards as agreed by the working party. These to become new licence conditions, policy requirements and application procedures as proposed in Appendix B
- 8.2 Members are recommended to approve the proposed implementation time scales, as detailed in Appendix B.
- 8.3 Members to agree that for the purposes of process and decision making, where any anomalies exist between the Standards and the Councils Hackney Carriage and Private Hire Licensing Policy, unless there are exceptional circumstances, the requirements of the Standards will take precedence.

Is this a key decision? No

Do the exempt information categories apply? No

Does Rule 15 of the Scrutiny Procedure Rules (call-in and urgency) apply? No

How many appendices does the report contain? 4

List of Background Papers: Appendix A - Statutory Taxi & Private Hire Vehicle Standards
Appendix B – Consultation document with proposed changes
Appendix C – Consultation response from Hackney Carriage Driver
Appendix D – Consultation response from Private Hire Driver

Lead Officer: Ian Cullen, Licensing Team Leader
Telephone (01522) 873714
Email address: ian.cullen@lincoln.gov.uk

Please read the frequently asked questions sheet which accompanies this report template in authority wide in the committee report template folder for further information relating to this document and report writing in general.



Department
for Transport

Statutory Taxi & Private Hire Vehicle Standards

Contents

	Page
1. Introduction.....	4
2. Consideration of the Statutory Taxi and Private Hire Vehicle Standards.....	6
3. Administering the Licensing Regime.....	8
Licensing polices	8
Duration of licences	9
Whistleblowing.....	9
Consultation at the local level	10
Changing licensing policy and requirements	10
4. Gathering and Sharing Information.....	12
The Disclosure and Barring Service	12
The Disclosure and Barring Service Update Service	13
Common Law Police Disclosure	13
Licensee self-reporting	13
Referrals to the Disclosure and Barring Service and the Police	14
Working with the Police	15
Sharing licensing information with other licensing authorities.....	15
Multi-agency Safeguarding Hub (MASH).....	16
Complaints against licensees	17
Overseas convictions	17
5. Decision Making	19
Administration of the licensing framework	19
Training decision makers.....	19
The regulatory structure	20
Fit and proper test	21
Criminal convictions and rehabilitation	21
6. Driver Licensing.....	23
Criminality checks for drivers.....	23
Safeguarding awareness.....	23
‘County lines’ exploitation	24
Language proficiency	25

7. Vehicle Licensing.....	26
Criminality checks for vehicle proprietors	26
In-vehicle visual and audio recording – CCTV.....	27
Stretched Limousines	28
8. Private Hire Vehicle Operator Licensing	29
Criminality checks for private hire vehicle operators.....	29
Booking and dispatch staff.....	30
Record keeping	31
Use of passenger carrying vehicles (PCV) licensed drivers	31
9. Enforcing the Licensing Regime	33
Joint authorisation of enforcement officers	33
Setting expectations and monitoring.....	33
Suspension and revocation of driver licences.....	33
Annex – Assessment of Previous Convictions	35
Annex – Disclosure and Barring Service information	37
Annex – CCTV Guidance	38
Annex - Staying Safe: Guidance for Passengers	40

1. Introduction

- 1.1 There is evidence to support the view that taxis and private hire vehicles are a high-risk environment. In terms of risks to passengers, this can be seen in abuse and exploitation of children and vulnerable adults facilitated and in some cases perpetrated by the trade and the number of sexual crimes reported which involve taxi and private hire vehicle drivers. Links between the trade and child sexual abuse and exploitation have been established in many areas and other investigations continue. Data on reported sexual assaults by taxi and private hire vehicle drivers evidence the risk to passengers; data from [Greater Manchester](#) and [Merseyside](#) suggest that, if similar offence patterns are applied across England, 623 sexual assaults per year are reported. These figures do not however account for the under reporting of crime which is estimated to be as high as 83 percent in the [Crime Survey for England and Wales](#).
- 1.2 The Policing and Crime Act 2017 enables the Secretary of State for Transport to issue statutory guidance on exercising taxi and private hire vehicle licensing functions to protect children and vulnerable individuals who are over 18 from harm when using these services. For the purposes of this document, a child is defined as anyone who has not yet reached their 18th birthday; and the term “vulnerable individual” has the same meaning as the definition of a ‘vulnerable adult’ for the purpose of section 42 of the [Care Act 2014](#), which applies where a local authority has reasonable cause to suspect that an adult in its area (whether or not ordinarily resident there):
- (a) has needs for care and support (whether or not the authority is meeting any of those needs),
 - (b) is experiencing, or is at risk of, abuse or neglect, and
 - (c) as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.
- 1.3 Whilst the focus of the Statutory Taxi and Private Hire Vehicle Standards is on protecting children and vulnerable adults, all passengers will benefit from the recommendations contained in it. There is consensus that common core minimum standards are required to regulate better the taxi and private hire vehicle sector, and the recommendations in this document are the result of detailed discussion with the trade, regulators and safety campaign groups. **The Department therefore expects these recommendations to be implemented unless there is a compelling local reason not to.**
- 1.4 It should be noted that as policing and criminal justice is not a devolved matter, the Statutory Taxi and Private Hire Vehicle Standards issued under the Policing and Crime Act 2017 will continue to have effect in Wales although responsibility for taxi and private hire vehicle policy was devolved to the Welsh Assembly in April 2018. Should the Welsh Government introduce legislation to regulate on these issues, the standards in this document would, cease to apply.

- 1.5 All local authorities and district councils that provide children's and other types of services, including licensing authorities, have a statutory duty to make arrangements to ensure that their functions and any services that they contract out to others are discharged having regard to the need to safeguard and promote the welfare of children. This means that licensing authorities should have in place arrangements that reflect the importance of safeguarding and promoting the welfare of children. This includes clear whistleblowing procedures, safe recruitment practices and clear policies for dealing with allegations against people who work with children, as set out in the [Working Together to Safeguard Children](#) statutory guidance.
- 1.6 The Statutory Taxi and Private Hire Vehicle Standards reflect the significant changes in the industry and lessons learned from experiences in local areas since the 2010 version of the Department's Best Practice Guidance. This includes extensive advice on checking the suitability of individuals and operators to be licensed; safeguarding children and vulnerable adults; the Immigration Act 2016 and Common Law Police Disclosure (which replaced the Notifiable Occupations Scheme).
- 1.7 The standards in this document replace relevant sections of the Best Practice Guidance issued by the Department in 2010, where there is a conflict between the Statutory Taxi and Private Hire Vehicle Standards and the Best Practice Guidance the Department issue on taxi and private hire vehicle licensing, the standards in this document take precedence.

Terminology

Taxis are referred to in legislation, regulation and common language as 'hackney carriages', 'black cabs' and 'cabs'. The term '**taxi**' is used throughout this document and refers to all such vehicles. Taxis can be hired immediately by hailing on the street or at a rank.

Private hire vehicles include a range of vehicles including minicabs, executive cars, chauffeur services, limousines and some school and day centre transport services. All private hire vehicle journeys must be pre-booked via a licensed private hire vehicle operator and are subject to a 'triple licensing lock' i.e. the operator fulfilling the booking must use vehicles and drivers licensed by the same authority as that which granted its licence. The term 'private hire vehicle' is used throughout this document to refer to all such vehicles.

2. Consideration of the Statutory Taxi and Private Hire Vehicle Standards

- 2.1 The past failings of licensing regimes must never be repeated. The Department has carefully considered the measures contained in the Statutory Taxi and Private Hire Vehicle Standards and recommend that these should be put in to practice and administered appropriately to mitigate the risk posed to the public. The purpose of setting standards is to protect children and vulnerable adults, and by extension the wider public, when using taxis and private hire vehicles.
- 2.2 The Government set out in the [Modern Crime Prevention Strategy](#) the evidence that where Government, law enforcement, businesses and the public work together on prevention, this can deliver significant and sustained cuts in certain crimes. That is good news for victims and communities and it makes clear economic sense too. Educating the public on the risks of using unlicensed drivers and vehicles, how to identify the licensed trade and appropriate measure to take when using these services will protect help all passengers, more information is annexed to this document (Annex - Staying safe: guidance for passengers).
- 2.3 The Strategy committed to protect children and young people from the risk of child sexual abuse and exploitation (CSAE), by working with local authorities to introduce rigorous taxi and private hire vehicle licensing regimes. Both the [Jay](#) and [Casey](#) reports on CSAE highlighted examples of taxi/private hire vehicle drivers being directly linked to children that were abused, including instances when children were picked up from schools, children's homes or from family homes and abused, or sexually exploited.
- 2.4 The Casey Report made clear that weak and ineffective arrangements for taxi and private hire vehicle licensing had left the children and public at risk. The Department for Transport has worked with the Home Office, Local Government Association (LGA), personal safety charities, trade unions and trade bodies,

holding workshops, forums, and sharing evidence and good practice with local authorities to assist in the setting of the standards.

- 2.5 This document is published by the Secretary of State for Transport under section 177(1) of the Policing and Crime Act 2017 following consultation in accordance with section 177(5).
- 2.6 The document sets out a framework of policies that, under section 177(4), licensing authorities “**must have regard**” to when exercising their functions. These functions include developing, implementing and reviewing their taxi and private hire vehicle licensing regimes. “Having regard” is more than having a cursory glance at a document before arriving at a preconceived conclusion.
- 2.7 “Having regard” to these standards requires public authorities, in formulating a policy, to give considerations the weight which is proportionate in the circumstances. **Given that the standards have been set directly to address the safeguarding of the public and the potential impact of failings in this area, the importance of thoroughly considering these standards cannot be overstated.** It is not a question of box ticking; the standards must be considered rigorously and with an open mind.
- 2.8 Although it remains the case that licensing authorities must reach their own decisions, both on overall policies and on individual licensing matters in light of the relevant law, it may be that the Statutory Taxi and Private Hire Vehicle Standards might be drawn upon in any legal challenge to an authority’s practice, and that any failure to adhere to the standards without sufficient justification could be detrimental to the authority’s defence. **In the interest of transparency, all licensing authorities should publish their consideration of the measures contained in Statutory Taxi and Private Hire Vehicle Standards, and the policies and delivery plans that stem from these.** The Department has undertaken to monitor the effectiveness of the standards in achieving the protection of children and vulnerable adults (and by extension all passengers).
- 2.9 The Statutory Taxi and Private Hire Vehicle Standards does not purport to give a definitive statement of the law and any decisions made by a licensing authority remain a matter for that authority.

3. Administering the Licensing Regime

Licensing policies

- 3.1 The Department recommends all licensing authorities make publicly available a cohesive policy document that brings together all their procedures on taxi and private hire vehicle licensing. This should include but not be limited to policies on convictions, a ‘fit and proper’ person test, licence conditions and vehicle standards.
- 3.2 When formulating a taxi and private hire vehicle policy, the primary and overriding objective must be to protect the public. The importance of ensuring that the licensing regime protects the vulnerable cannot be overestimated. This was highlighted in the [report by Dame Louise Casey CB](#) of February 2015 on safeguarding failings.

“It will be evident from this report that in many cases the activities of perpetrators take place in spheres which are regulated by the Council – taxis have been the focus of particular concern. Persistent and rigorous enforcement of the regulatory functions available to the council, including the placing of conditions on private hire taxi operator licences where appropriate, would send a strong signal that the trade is being monitored and would curtail the activities of opportunistic perpetrators whereby taxi drivers have solicited children to provide sex in return for cigarettes, alcohol or a fare free ride.”

- 3.3 The long-term devastation caused by CSAE was summarised in the same report:

“Victims suffer from suicidal feelings and often self-harm. Many become pregnant. Some have to manage the emotional consequences of miscarriages and abortions while others have children that they are unable to parent appropriately. The abuse and violence continues to affect victims into adulthood. Many enter violent and abusive relationships. Many suffer poor mental health and addiction.”

- 3.4 Rotherham Metropolitan Borough Council (‘Rotherham Council’) provides an example of how the systematic review of policies and procedures and the implementation of a plan to drive improvements in practice can result in a well-functioning taxi and private hire vehicle sector that is rebuilding local confidence in the industry. The history of past failings here and elsewhere is well known, but it is the transparency and resolution that Rotherham Council has demonstrated and the high standards they now require that are rebuilding public confidence.
- 3.5 One of the key lessons learned is that it is vital to review policies and reflect changes in the industry both locally and nationally. **Licensing authorities should review their licensing policies every five years, but should also consider interim reviews should there be significant issues arising in their area, and their performance annually.**

Duration of licences

- 3.6 A previous argument against issuing licences for more than a year was that a criminal offence might be committed, and not notified, during this period; this can of course also be the case during the duration of a shorter licence. This risk can be mitigated for drivers by authorities to undertaking regular interim checks. To help authorities monitor licensees' suitability, licensing authorities should engage with their police force to ensure that when the police believe a licensee presents a risk to the travelling public they use their Common Law Police Disclosure powers (see paragraphs 4.9 - 4.11) to advise them.
- 3.7 The Local Government (Miscellaneous Provisions) Act 1976 (as amended) sets a standard length at three years for taxi and private hire vehicle drivers and five years for private hire vehicle operators. Any shorter duration licence should only be issued when the licensing authority thinks it is appropriate in the specific circumstances of the case, if a licensee has requested one or where required (e.g. when the licence holder's leave to remain in the UK is time-limited) or when the licence is only required to meet a short-term demand; they should not be issued on a 'probationary' basis.

Whistleblowing

- 3.8 It is in the application of licensing authority's policies (and the training and raising of awareness among those applying them) that protection will be provided. Where there are concerns that policies are not being applied correctly, it is vital that these can be raised, investigated and remedial action taken if required. **Licensing authorities should have effective internal procedures in place for staff to raise concerns and for any concerns to be dealt with openly and fairly.**

A report into the licensing of drivers by South Ribble Borough Council highlights the implications of not applying the agreed policies. In early August 2015, concerns were raised regarding decisions to renew the licences of drivers where there were potential incidents of child sexual exploitation. An internal review concluded that there had been failings in local investigatory procedures which might have affected the ability of the General Licensing Committee to make proper decisions, and information sharing with the police and data recording was not satisfactory.

- 3.9 The external investigation in South Ribble concluded “that there had been a lack of awareness and priority given to safeguarding and the safety of taxi [and private hire vehicle] passengers in the manner in which licensing issues were addressed”. We are pleased to note that the [report](#) concludes, “The Council have been active at every stage in responding to issues and concerns identified. It has taken steps to address operational issues in the licensing function and has engaged fully with other agencies in so doing. In the light of the above, it is not necessary to make any further recommendations.”
- 3.10 It is hoped that all licensing authorities will have learnt from these mistakes but to prevent a repeat, **local authorities should ensure they have an effective ‘whistleblowing’ policy and that all staff are aware of it.** If a worker is aware of, and has access to, effective internal procedures for raising concerns then ‘whistleblowing’ is unlikely to be needed.
- 3.11 The Public Interest Disclosure Act 1998 (PIDA), commonly referred to as whistleblowing legislation, provides protection for those that have a reasonable belief of serious wrongdoing, including failure to comply with professional standards, council policies or codes of practice/conduct. The PIDA is part of employment law. In the normal course of events, if a worker reveals information that his employer does not want revealed it may be a disciplinary offence. If someone leaked their employer’s confidential information to the press, they might expect to be dismissed for that. The PIDA enables workers who ‘blow the whistle’ about wrongdoing to complain to an employment tribunal if they are dismissed or suffer any other form of detriment for doing so. It is a qualified protection and certain conditions would have to be met for the worker to be protected. More information is available online for [employees](#) and [employers](#):

Consultation at the local level

- 3.12 Licensing authorities should consult on proposed changes in licensing rules that may have significant impacts on passengers and/or the trade. Such consultation should include not only the taxi and private hire vehicle trades but also groups likely to be the trades’ customers. Examples are groups representing disabled people, Chambers of Commerce, organisations with a wider transport interest (e.g. the Campaign for Better Transport and other transport providers), women’s groups, local traders, and the local multi-agency safeguarding arrangements. It may also be helpful to consult with night-time economy groups (such as Pubwatch) if the trade is an important element of dispersal from the local night-time economy’s activities.
- 3.13 Any decision taken to alter the licensing regime is likely to have an impact on the operation of the taxi and private hire vehicle sector in neighbouring areas; and **licensing authorities should engage with these areas to identify any concerns and issues that might arise from a proposed change.** Many areas convene regional officer consultation groups or, more formally, councillor liaison meetings; this should be adopted by all authorities.

Changing licensing policy and requirements

- 3.14 **Any changes in licensing requirements should be followed by a review of the licences already issued.** If the need to change licensing requirements has been identified, this same need is applicable to those already in possession of a licence. That is not however to suggest that licences should be automatically revoked overnight, for example if a vehicle specification is changed it is proportionate to allow those that would not meet the criteria to have the opportunity to adapt or change their vehicle. The same pragmatic approach should be taken to driver licence changes - if requirements are changed to include a training course or qualification, a reasonable time should be allowed for this to be undertaken or gained. The implementation schedule of any changes that affect current licence holders must be transparent and communicated promptly and clearly.
- 3.15 Where a more subjective change has been introduced, for example an amended policy on previous convictions, a licensing authority must consider each case on its own merits. Where there are exceptional, clear and compelling reasons to deviate from a policy, licensing authorities should consider doing so. Licensing authorities should record the reasons for any deviation from the policies in place.

4. Gathering and Sharing Information

- 4.1 Licensing authorities must consider as full a range of information available to them when making a decision whether to grant a licence and to meet their ongoing obligation to ensure a licensee remains suitable to hold a licence.

The Disclosure and Barring Service

- 4.2 The Disclosure and Barring Service (DBS) provides access to criminal record information through its disclosure service for England and Wales. The DBS also maintains the lists of individuals barred from working in regulated activity with children or adults. The DBS makes independent barring decisions about people who have harmed, or where they are considered to pose a risk of harm to a child or vulnerable person within the workplace. The DBS enables organisations in the public, private and voluntary sectors to make safer employment decisions by identifying candidates who may be unsuitable for certain work, especially that which involves vulnerable groups including children.
- 4.3 Enhanced certificates with a check of the barred lists include details of spent and unspent convictions recorded on the Police National Computer (PNC), any additional information which a chief officer of police believes to be relevant and ought to be disclosed, as well as indicating whether the individual is barred from working in regulated activity with children or adults. Spent convictions and cautions are disclosed on standard and enhanced certificates according to rules set out in legislation. Convictions which resulted in a custodial sentence, and convictions or cautions for a specified serious offence such as those involving child sexual abuse will always be disclosed on a standard or enhanced certificate. Full details of the disclosure rules, and those offences which will always be disclosed, are available from the [DBS](#). As well as convictions and cautions, an enhanced certificate may include additional information which a chief police officer reasonably believes is relevant and ought to be disclosed. Chief police officers must have regard to the [statutory guidance](#) issued by the Home Office when considering disclosure. A summary of the information provided at each level of DBS checks is annexed to this document (Annex – Disclosure and Barring Service information).
- 4.4 It should be noted that licensing authorities must not circumvent the DBS process and seek to obtain details of previous criminal convictions and other information that may not otherwise be disclosed on a DBS certificate. Whilst data protection legislation (not just the Data Protection Act 2018 or General Data Protection Regulation (GDPR)) gives individuals (or data subjects) a 'right of access' to the personal data that an organisation holds about them, it is a criminal offence to require an individual to exercise their subject access rights so as to gain information about any convictions and cautions. This could potentially lead to the authority receiving information to which it is not entitled. The appropriate way of accessing an individual's criminal records is through an enhanced DBS and barred lists check.

The Disclosure and Barring Service Update Service

- 4.5 Subscription to the DBS Update Service allows those with standard and enhanced certificates to keep these up to date online and, with the individual's consent, allows nominees to check the status of a certificate online at any time. Subscription to the service removes the need for new certificates to be requested, reduces the administrative burden and mitigates potential delays in relicensing.
- 4.6 The DBS will search regularly to see if any relevant new information has been received since the certificate was issued. The frequency varies depending on the type of information; for criminal conviction and barring information, the DBS will search for updates on a weekly basis. For non-conviction information, the DBS will search for updates every nine months.
- 4.7 Licensing authorities are able to request large numbers of status checks on a daily basis. The DBS has developed a Multiple Status Check Facility (MSCF) that can be accessed via a web service. The MSCF enables organisations to make an almost unlimited number of Status Checks simultaneously. Further information on the MSCF is available from the [DBS](#).
- 4.8 Should the MSCF advise that new information is available the DBS certificate should no longer be relied upon and a new DBS certificate requested.

Common Law Police Disclosure

- 4.9 The DBS is not the only source of information that should be considered as part of a fit and proper assessment for the licensing of taxi and private hire vehicle drivers. Common Law Police Disclosure ensures that where there is a public protection risk, the police will pass information to the employer or regulatory body to allow them to act swiftly to mitigate any danger.
- 4.10 Common Law Police Disclosure replaced the Notifiable Occupations Scheme (NOS) in March 2015 and focuses on providing timely and relevant information which might indicate a public protection risk. Information is passed on at arrest or charge, rather than on conviction which may be some time after, allowing any measures to mitigate risk to be put in place immediately.
- 4.11 This procedure provides robust safeguarding arrangements while ensuring only relevant information is passed on to employers or regulatory bodies. **Licensing authorities should maintain close links with the police to ensure effective and efficient information sharing procedures and protocols are in place and are being used.**

Licensee self-reporting

- 4.12 Licence holders should be required to notify the issuing authority within 48 hours of an arrest and release, charge or conviction of any sexual offence, any offence involving dishonesty or violence and any motoring offence. An arrest for any of the offences within this scope should result in a review by the issuing authority as to whether the licence holder is fit to continue to do so. This must not

however be seen as a direction that a licence should be withdrawn; it is for the licensing authority to consider what, if any, action in terms of the licence should be taken based on the balance of probabilities. Should an authority place an obligation on licensees to notify under these circumstances, authorities should also ensure appropriate procedures are in place to enable them to act in a suitable timeframe if and when needed.

- 4.13 Importantly, a failure by a licence holder to disclose an arrest that the issuing authority is subsequently advised of might be seen as behaviour that questions honesty and therefore the suitability of the licence holder regardless of the outcome of the initial allegation.

Referrals to the Disclosure and Barring Service and the Police

- 4.14 In some circumstances it may be appropriate under the Safeguarding Vulnerable Groups Act 2006 for licensing authorities to make referrals to the DBS. **A decision to refuse or revoke a licence as the individual is thought to present a risk of harm to a child or vulnerable adult, should be referred to the DBS.** The power for the licensing authority to make a referral in this context arises from the undertaking of a safeguarding role. Further guidance has been provided by the [DBS](#).

- 4.15 The Department recommends that licensing authorities should make a referral to the DBS when it is thought that:

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

if the above conditions are satisfied, the DBS may consider it appropriate for the person to be added to a barred list.

- 4.16 These referrals may result in the person being added to a barred list and enable other licensing authorities to consider this should further applications to other authorities be made. Further information on referrals to DBS is [available](#).

Working with the Police

- 4.17 The police are an invaluable source of intelligence when assessing whether a licensing applicant is a 'fit and proper' person. It is vital that licensing authorities have a partnership with the police service to ensure that appropriate information is shared as quickly as possible. As part of building an effective working relationship between the licensing authority and the police, **action taken by the licensing authority as a result of information received should be fed-back to the police.** Increasing the awareness among police forces of the value licensing authorities place on the information received, particularly on non-conviction intelligence, will assist furthering these relationships and reinforce the benefits of greater sharing of information.
- 4.18 This relationship can be mutually beneficial, assisting the police to prevent crime. The police can gain valuable intelligence from drivers and operators, for example, the identification of establishments that are selling alcohol to minors or drunks, or the frequent transportation of substance abusers to premises.
- 4.19 To aid further the quality of the information available to all parties that have a safeguarding duty, a revocation or refusal on public safety grounds should also be advised to the police.

Sharing licensing information with other licensing authorities

- 4.20 As has been stated elsewhere in this document, obtaining the fullest information minimises the doubt as to whether an applicant or licensee is 'fit and proper'. An obvious source of relevant information is any previous licensing history. **Applicants and licensees should be required to disclose if they hold or have previously held a licence with another authority. An applicant should also be required to disclose if they have had an application for a licence refused, or a licence revoked or suspended by any other licensing authority.** Licensing authorities should explicitly advise on their application forms that making a false statement or omitting to provide the information requested may be a criminal offence.
- 4.21 The LGA's Councillors' [Handbook on taxi and private hire vehicle licensing](#) advises that those responsible for licensing should "*communicate regularly with licensing committees and officers in neighbouring councils to ensure critical information is shared and that there is a consistency and robustness in decision-making. By working together, local government can make sure that this vital service is safe, respected, and delivering for local communities.*". While this approach may aid consistency and robustness in decision-making within regions, it has obvious inherent limitations as it is unlikely such protocols could be established between all licensing authorities. The LGA commissioned the National Anti-Fraud Network to develop a national register of taxi and private hire vehicle driver licence refusals and revocations (the register is known as 'NR3'). **Tools such as NR3 should be used by licensing authorities to share information on a more consistent basis to mitigate the risk of non-disclosure of relevant information by applicants.**

- 4.22 For these processes to be beneficial, all licensing authorities must keep a complete and accurate record as to the reasons for refusal, suspension or revocation of a licence in order that this might be shared if requested and appropriate to do so.
- 4.23 Data protection legislation provides exemption from the rights of data subjects for the processing of personal data in connection with regulatory activities. This includes taxi and private hire vehicle licensing. The exemption applies only to information processed for the core regulatory activities of appropriate organisations; it may not be used in a blanket manner. The exemption applies only to the extent that the application of the rights of data subjects to the information in question would be likely to prejudice the proper discharge of the regulatory functions. The Information Commissioner's Office has published [guidance](#) to assist organisations to fully understand their obligations and suggest good practice.
- 4.24 If notification under paragraph 4.20 or 4.21 of a refused or revoked licence is disclosed, the relevant licensing authority should be contacted to establish when the licence was refused, suspended or revoked and the reasons why. In those circumstances, the relevant licensing authority must consider whether it should disclose any information in relation to the previous decision, consistent with its obligations under data protection legislation. If information is disclosed, it can then be taken into account in determining the applicant's fitness to be licensed. The relevance of the reason for refusing/revoking a licence must be considered. For example, if any individual was refused a licence for failing a local knowledge test, it does not have any safeguarding implications. Conversely, a revocation or refusal connected to indecency would. Licensing authorities should not simply replicate a previous decision, authorities must consider each application on its own merits and with regard to its own policies.
- 4.25 Should a licensing authority receive information that a licence holder did not disclose the information referred to in paragraph 4.20, for example by checking the NR3 register, the authority should consider whether the non-disclosure represents dishonesty and should review whether the licence holder remains 'fit and proper'.

Multi-agency Safeguarding Hub (MASH)

- 4.26 Multi-Agency Safeguarding Hubs are a way to improve the safeguarding response for children and vulnerable adults through better information sharing and high quality and timely safeguarding responses. MASHs (or similar models) should operate on three common principles: information sharing, joint decision making and coordinated intervention.
- 4.27 The Home Office report on [Multi Agency Working and Information Sharing](#) recommended that effective multi-agency working still needs to become more widespread. The Children's Commissioner's 2013 [Inquiry into Child Sexual Exploitation in Gangs and Groups](#) found that both police and local authorities still identified the inability to share information as a key barrier to safeguarding children from sexual abuse and exploitation.

4.28 All licensing authorities should operate or establish a means to facilitate the objectives of a MASH (i.e. the sharing of necessary and relevant information between stakeholders). As has been emphasised throughout this document, one of the most effective ways to minimise the risk to children and vulnerable adults when using taxis and private hire vehicles is to ensure that decisions on licensing individuals are made with the fullest knowledge possible.

Complaints against licensees

4.29 Complaints about drivers and operators provide a source of intelligence when considering the renewal of a licence or to identify problems during the period of the licence. Patterns of behaviour such as complaints against drivers, even when they do not result in further action in response to an individual complaint, may be indicative of characteristics that raise doubts over the suitability to hold a licence. **All licensing authorities should have a robust system for recording complaints, including analysing trends across all licensees as well as complaints against individual licensees.** Such a system will help authorities to build a fuller picture of the potential risks an individual may pose and may tip the 'balance of probabilities' assessment that licensing authorities must take.

4.30 Licensees with a high number of complaints made against them should be contacted by the licensing authority and concerns raised with the driver and operator (if appropriate). Further action in terms of the licence holder must be determined by the licensing authority, which could include no further action, the offer of training, a formal review of the licence, or formal enforcement action.

4.31 To ensure that passengers know who to complain to, licensing authorities should produce guidance for passengers on making complaints directly to the licensing authority that should be available on their website. Ways to make complaint to the authority should be displayed in all licensed vehicles. This is likely to result in additional work for the licensing authority but has the advantage of ensuring consistency in the handling of complaints. Currently, it is more likely that a complaint against a taxi driver would be made directly to the licensing authority whereas a complaint against a private hire vehicle driver is more likely to be made to the operator. An effective partnership in which operators can share concerns regarding drivers is also encouraged.

4.32 Importantly, this approach will assist in the directing of complaints and information regarding the behaviour of drivers who may be carrying a passenger outside of the area in which the driver is licensed to the authority that issued the licence. In order for this to be effective licensing authorities must ensure that drivers are aware of a requirement to display information on how to complain and take appropriate sanctions against those that do not comply with this requirement.

4.33 In terms of investigating complaints CCTV footage of an incident can provide an invaluable insight, providing an 'independent witness' to an event. This can assist in the decision whether to suspend or revoke a licence. The potential benefits of mandating CCTV in vehicles is discussed in paragraphs 7.7 - 7.12.

Overseas convictions

- 4.34 The DBS cannot access criminal records held overseas, only foreign convictions that are held on the Police National Computer may, subject to the disclosure rules, be disclosed. Therefore, a DBS check may not provide a complete picture of an individual's criminal record where there have been periods living or working overseas; the same applies when an applicant has previously spent an extended period (three or more continuous months) outside the UK. It should however be noted that some countries will not provide an 'Certificate of Good Character' unless the individual has been resident for six months or more
- 4.35 Licensing authorities should seek or require applicants to provide where possible criminal records information or a 'Certificate of Good Character' from overseas in this circumstance to properly assess risk and support the decision-making process (. It is the character of the applicant as an adult that is of particular interest, therefore an extended period outside the UK before the age of 18 may be less relevant. As with all licensing decisions, each case must be considered on its own merits. For information on applying for overseas criminal record information or 'Certificates of Good Character' please see the Home Office [guidance](#).
- 4.36 Where an individual is aware that they have committed an offence overseas which may be equivalent to those listed in the annex to this document (Annex – Assessment of previous convictions), licensing authorities should advise the applicant to seek independent expert or legal advice to ensure that they provide information that is truthful and accurate.

5. Decision Making

Administration of the licensing framework

- 5.1 A policy is only effective if it is administered properly. The taxi and private hire vehicle licensing functions of local councils are non-executive functions i.e. they are functions of the council rather than the executive (such as the Cabinet). The functions include the determination of licence applications, reviews and renewals, along with the attachment of conditions when considered appropriate. The function may be delegated to a committee, a sub-committee or an officer – which should be set out within a clear scheme of delegation. In London the taxi and private hire vehicle licensing function is undertaken by Transport for London.
- 5.2 Licensing authorities should ensure that all individuals that determine whether a licence is issued or refused are adequately resourced to allow them to discharge the function effectively and correctly.

Training decision makers

- 5.3 **All individuals that determine whether a licence is issued should be required to undertake sufficient training.** As a minimum, training for a member of a licensing committee should include: licensing procedures, natural justice, understanding the risks of CSAE, disability and equality awareness and the making of difficult and potentially controversial decisions. Training should not simply relate to procedures, but should include the use of case study material to provide context and real scenarios. All training should be formally recorded by the licensing authority and require a signature from the person that has received the training. Training is available from a number of organisations including the Institute of Licensing and Lawyers in Local Government; the LGA may also be able to assist in the development of training packages.
- 5.4 Public safety is the paramount consideration but the discharge of licensing functions must be undertaken in accordance with the following general principles:
- policies should be used as internal guidance, and should be supported by a member/officer code of conduct.
 - any implications of the Human Rights Act should be considered.
 - the rules of natural justice should be observed.
 - decisions must be reasonable and proportionate.
 - where a hearing is required it should be fairly conducted and allow for appropriate consideration of all relevant factors.
 - decision makers must avoid bias (or even the appearance of bias) and predetermination.
 - data protection legislation.

5.5 When a decision maker has a prejudicial interest in a case, whether it be financial or a personal relationship with those involved they should declare their interest at the earliest opportunity; this must be prior to any discussions or votes and, once declared, they must leave the room for the duration of the discussion or vote.

The regulatory structure

5.6 It is recommended that councils operate with a Regulatory Committee or Board that is convened at periodic intervals to determine licensing matters, with individual cases being considered by a panel of elected and suitably trained councillors drawn from a larger Regulatory Committee or Board. This model is similar to that frequently adopted in relation to other licensing matters. To facilitate the effective discharge of the functions, less contentious matters can be delegated to appropriately authorised council officers via a transparent scheme of delegation.

5.7 It is considered that this approach also ensures the appropriate level of separation between decision makers and those that investigate complaints against licensees, and is the most effective method in allowing the discharge of the functions in accordance with the general principles referred to in 5.4. In particular, the Committee/Board model allows for:

- Each case to be considered on its own merits. It is rare for the same councillors to be involved in frequent hearings – therefore the councillors involved in the decision making process will have less knowledge of previous decisions and therefore are less likely to be influenced by them. Oversight and scrutiny can be provided in relation to the licensing service generally, which can provide independent and impartial oversight of the way that the functions are being discharged within the authority.
- Clear separation between investigator and the decision maker – this demonstrates independence, and ensures that senior officers can attempt to resolve disputes in relation to service actions without the perception that this involvement will affect their judgement in relation to decisions made at a later date.

5.8 Avoidance of bias or even the appearance of bias is vital to ensuring good decisions are made and instilling and/or maintaining confidence in the licensing regime by passengers and licensees.

5.9 Unlike officers, elected members are not usually involved in the day to day operation of the service and as such do not have relationships with licence holders that may give the impression that the discharge of a function is affected by the relationship between the decision maker and the licence holder.

5.10 Some licensing authorities may decide to operate a system whereby all matters are delegated to a panel of officers; however, this approach is not recommended and caution should be exercised. Decisions must be, and be seen to be, made objectively, avoiding any bias. In addition, it may be more difficult to demonstrate compliance with the principles referred to above due to the close

connection between the officers on the panel, and those involved in the operational discharge of the licensing functions.

- 5.11 Whether the structure proposed is introduced or an alternative model is more appropriate in local circumstances, the objective should remain the same - to separate the investigation of licensing concerns and the management of the licence process. Regardless of which approach is adopted, **all licensing authorities should consider arrangements for dealing with serious matters that may require the immediate revocation of a licence.** It is recommended that this role is delegated to a senior officer/manager with responsibility for the licensing service.

Fit and proper test

- 5.12 Licensing authorities have a duty to ensure that any person to whom they grant a taxi or private hire vehicle driver's licence is a 'fit and proper' person to be a licensee. It may be helpful when considering whether an applicant or licensee is fit and proper to pose oneself the following question:

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?

- 5.13 If, on the balance of probabilities, the answer to the question is 'no', the individual should not hold a licence.
- 5.14 Licensing authorities have to make difficult decisions but (subject to the points made in paragraph 5.4) the safeguarding of the public is paramount. All decisions on the suitability of an applicant or licensee should be made on the balance of probability. This means that an applicant or licensee should not be 'given the benefit of doubt'. If the committee or delegated officer is only "50/50" as to whether the applicant or licensee is 'fit and proper', they should not hold a licence. The threshold used here is lower than for a criminal conviction (that being beyond reasonable doubt) and can take into consideration conduct that has not resulted in a criminal conviction.

Criminal convictions and rehabilitation

- 5.15 In considering an individual's criminal record, licensing authorities must consider each case on its merits, but they should take a particularly cautious view of any offences against individuals with special needs, children and other vulnerable groups, particularly those involving violence, those of a sexual nature and those linked to organised crime. In order to achieve consistency, and to mitigate the risk of successful legal challenge, licensing authorities should have a clear policy for the consideration of criminal records. This should include, for example, which offences would prevent an applicant from being licenced regardless of the period elapsed in all but truly exceptional circumstances. In the case of lesser offences, a policy should consider the number of years the authority will require to have elapsed since the commission of particular kinds of offences before they will grant a licence.

- 5.16 Annexed to this document are the Department's recommendations on the assessment of previous convictions (Annex – Assessment of previous convictions). This draws on the work of the Institute of Licensing, in partnership with the LGA, the National Association of Licensing Enforcement Officers (NALEO) and Lawyers in Local Government, in publishing its guidance on determining the suitability of taxi and private hire vehicle licensees.
- 5.17 These periods should be taken as a starting point in considering whether a licence should be granted or renewed in all cases. The Department's view is that this places passenger safety as the priority while enabling past offenders to sufficiently evidence that they have been successfully rehabilitated so that they might obtain a licence. Authorities are however reminded that applicants are entitled to a fair and impartial consideration of their application.

6. Driver Licensing

Criminality checks for drivers

- 6.1 Licensing authorities are entitled to request an enhanced criminal record certificate with check of the barred lists from the DBS for all driver licence holders or applicants. The DfT's 2019 [survey of taxi and private hire vehicle licensing authorities](#) shows that all licensing authorities in England and Wales have a requirement that an enhanced DBS check is undertaken at first application or renewal.
- 6.2 All individuals applying for or renewing a taxi or private hire vehicle drivers licence licensing authorities should carry out a check of the children and adult Barred Lists in addition to being subject to an enhanced DBS check (in section x61 of the DBS application 'Other Workforce' should be entered in line 1 and 'Taxi Licensing' should be entered at line 2). All licensed drivers should also be required to evidence continuous registration with the DBS update service to enable the licensing authority to routinely check for new information every six months. Drivers that do not subscribe up to the Update Service should still be subject to a check every six months.
- 6.3 Driving a taxi or private hire vehicle is not, in itself, a regulated activity for the purposes of the barred list. This means that an individual subject to barring would not be legally prevented from being a taxi or private hire vehicle driver but the licensing authority should take an individual's barred status into account alongside other information available. **In the interests of public safety, licensing authorities should not, as part of their policies, issue a licence to any individual that appears on either barred list.** Should a licensing authority consider there to be exceptional circumstances which means that, based on the balance of probabilities they consider an individual named on a barred list to be 'fit and proper', the reasons for reaching this conclusion should be recorded.
- 6.4 Drivers working under an arrangement to transport children may be working in 'regulated activity' as defined by the [Safeguarding Vulnerable Groups Act 2006](#). It is an offence to knowingly allow a barred individual to work in regulated activity. The [guidance on home-to-school travel and transport](#) issued by the Department for Education should be considered alongside this document. Please see [guidance](#) on driver DBS eligibility and how to apply.

Safeguarding awareness

- 6.5 Licensing authorities should consider the role that those in the taxi and private hire vehicle industry can play in spotting and reporting the abuse, exploitation or neglect of children and vulnerable adults. As with any group of people, it is overwhelmingly the case that those within the industry can be an asset in the detection and prevention of abuse or neglect of children and vulnerable adults. However, this is only the case if they are aware of and alert to the signs of potential abuse and know where to turn to if they suspect that a child or vulnerable adult is at risk of harm or is in immediate danger.

6.6 All licensing authorities should provide safeguarding advice and guidance to the trade and should require taxi and private hire vehicle drivers to undertake safeguarding training. This is often produced in conjunction with the police and other agencies. These programmes have been developed to help drivers and operators:

- provide a safe and suitable service to vulnerable passengers of all ages;
- recognise what makes a person vulnerable; and
- understand how to respond, including how to report safeguarding concerns and where to get advice.

6.7 Since 2015, the Department for Education (DfE) has run a nationwide campaign – *‘Together, we can tackle child abuse’* which aims to increase public understanding of how to recognise the signs to spot and encourage them to report child abuse and neglect. The DfE continues to promote and raise awareness of the campaign materials through its [online toolkit](#), for local authorities, charities and organisations for use on their social media channels.

‘County lines’ exploitation

6.8 County lines is a term used to describe gangs and organised criminal networks involved in exporting illegal drugs (primarily crack cocaine and heroin) into one or more importing areas [within the UK], using dedicated mobile phone lines or other form of “deal line”.

6.9 Exploitation is an integral part of the county lines offending model with children and vulnerable adults exploited to transport (and store) drugs and money between locations. Children aged between 15-17 make up the majority of the vulnerable people involved in county lines, but they may also be much younger. We know that both girls and boys are groomed and exploited and offenders will often use coercion, intimidation, violence (including sexual violence) and weapons to ensure compliance of victims. Children exploited by county lines gangs may have vulnerabilities besides their age, such as broader mental health issues, disrupted or chaotic homes, substance misuse issues, being excluded from school or frequently going missing.

6.10 The National Crime Agency’s 2018 county lines threat assessment set out that the national road network is key to the transportation of county lines victims, drugs and cash; with hire vehicles being one of the methods used for transportation between locations.

6.11 Safeguarding awareness training should include the ways in which drivers can help to identify county lines exploitation. Firstly, they should be aware of the following warning signs:

- Children and young people travelling in taxis or private hire vehicles alone;

- travelling at unusual hours (during school time, early in the morning or late at night);
- travelling long distances;
- unfamiliar with the local area or do not have a local accent;
- paying for journeys in cash or prepaid.

6.12 The Home Office is working with partners to raise awareness of county lines and has provided [material](#) to help taxi and private vehicle hire staff to identify victims and report concerns to protect those exploited through this criminal activity.

6.13 Drivers (or any person) should be aware of what to do if they believe a child or vulnerable person is at risk of harm. If the risk is immediate they should contact the police otherwise they should:

- use the local safeguarding process, the first step of which is usually to contact the safeguarding lead within the local authority;
- call Crime Stoppers on 0800 555 111.

Language proficiency

6.14 A lack of language proficiency could impact on a driver's ability to understand written documents, such as policies and guidance, relating to the protection of children and vulnerable adults and applying this to identify and act on signs of exploitation. Oral proficiency will be of relevance in the identification of potential exploitation through communicating with passengers and their interaction with others.

6.15 A licensing authority's test of a driver's proficiency should cover both oral and written English language skills to achieve the objectives stated above.

7. Vehicle Licensing

7.1 As with driver licensing, the objective of vehicle licensing is to protect the public, who trust that the vehicles dispatched are above all else safe. It is important therefore that licensing authorities are assured that those granted a vehicle licence also pose no threat to the public and have no links to serious criminal activity. Although vehicle proprietors may not have direct contact with passengers, they are still entrusted to ensure that the vehicles and drivers used to carry passengers are appropriately licensed and so maintain the safety benefits of the licensing regime.

Criminality checks for vehicle proprietors

7.2 Enhanced DBS and barred list checks are not available for vehicle licensing. **Licensing authorities should require a basic disclosure from the DBS and that a check is undertaken annually.** Any individual may apply for a basic check and the certificate will disclose any unspent convictions recorded on the Police National Computer (PNC). Licensing authorities should consider whether an applicant or licence holder with a conviction for offences provided in the annex to this document (Annex – Assessment of previous convictions), other than those relating to driving, meet the ‘fit and proper’ threshold.

7.3 However, it is important that authorities acknowledge that in many cases individuals that license a vehicle may already be licensed as a driver. An authority which undertakes the biannual DBS checks recommended for its drivers should not require those seeking to licence a vehicle to provide a basic DBS check as part of the application process; a basic DBS would not provide any information in addition to that disclosed under the enhanced DBS and barred lists check used for the driver assessment. In these circumstances, the authority should instead rely on the fact that the applicant is considered as fit and proper to hold a driver licence when considering their suitability to hold a vehicle licence. Should the individual cease to hold a driver licence a basic certificate should be required immediately.

7.4 A refusal to license an individual as a driver or to suspend or revoke a driver licence does not automatically mean that that individual cannot be issued or continue to hold a vehicle or private hire vehicle operator licence; these decisions must be independent of a driver licence refusal and based on the appropriate information i.e. it should not consider information that would only be available via an enhanced DBS check but instead that which would be disclosed on a basic check. DBS certificate information can only be used for the specific purpose for which it was requested and for which the applicant’s full consent has been given.

7.5 Private hire vehicle operator and vehicle licences may be applied for by a company or partnership; licensing authorities should apply the ‘fit and proper’ test to each of the directors or partners in that company or partnership. For this to be effective private hire vehicle operators and those to whom a vehicle licence should be required to advise the licensing authority of any change in directors or partners.

7.6 As explained earlier in the context of driver licensing, the DBS cannot access criminal records held overseas so other checks must be considered where and applicant has lived or worked overseas (see paragraph 4.34 - 4.36).

In-vehicle visual and audio recording – CCTV

7.7 Government has acknowledged the potential risk to public safety when passengers travel in taxis and private hire vehicles. It is unfortunately the case that no matter how complete the information available to licensing authorities is when assessing whether to issue any taxi or private hire vehicle licence, nor how robust the policies in place are and the rigor with which they are applied, it will never completely remove the possibility of harm to passengers by drivers.

7.8 The Department's view is that CCTV can provide additional deterrence to prevent this and investigative value when it does. The use of CCTV can provide a safer environment for the benefit of taxi/private hire vehicle passengers and drivers by:

- deterring and preventing the occurrence of crime;
- reducing the fear of crime;
- assisting the police in investigating incidents of crime;
- assisting insurance companies in investigating motor vehicle accidents.

7.9 All licensing authorities should consult to identify if there are local circumstances which indicate that the installation of CCTV in vehicles would have either a positive or an adverse net effect on the safety of taxi and private hire vehicle users, including children or vulnerable adults, and taking into account potential privacy issues.

7.10 While only a small minority of licensing authorities have so far mandated all vehicles to be fitted with CCTV systems, the experience of those authorities that have has been positive for both passengers and drivers. In addition, the evidential benefits of CCTV may increase the level of reporting of sexual offences. According to the [Crime Survey for England and Wales](#) only 17 percent of victims report their experiences to the police, 28 percent of rape or sexual assault victims indicated that a fear they would not be believed as a factor in them not reporting the crime. The evidential benefits CCTV could provide are therefore an important factor when considering CCTV in vehicles.

7.11 The mandating of CCTV in vehicles may deter people from seeking a taxi or private hire vehicle licence with the intent of causing harm. Those that gain a licence and consider perpetrating an opportunistic attack against a vulnerable unaccompanied passenger may be deterred from doing so. It is however unfortunately the case that offences may still occur even with CCTV operating.

7.12 CCTV systems that are able to record audio as well as visual data may also help the early identification of drivers that exhibit inappropriate behaviour toward passengers. Audio recording should be both overt (i.e. all parties should be aware when recordings are being made) and targeted (i.e. only when passengers (or

drivers) consider it necessary). The recording of audio should be used to provide an objective record of events such as disputes or inappropriate behaviour and must not be continuously active by default and should recognise the need for privacy of passengers' private conversations between themselves. Activation of the audio recording capability of a system might be instigated when either the passenger or driver operates a switch or button.

- 7.13 Imposition of a blanket requirement to attach CCTV as a condition to a licence is likely to give rise to concerns about the proportionality of such an approach and will therefore require an appropriately strong justification and must be kept under regular review. More information and guidance on assessing the impacts of CCTV and on an authority mandating CCTV is annexed to this document (Annex – CCTV guidance).

Stretched Limousines

- 7.14 Licensing authorities are sometimes asked to license small (those constructed or adapted to carry fewer than nine passengers) limousines as private hire vehicles, these vehicles may be used for transport to 'school proms' as well as for adult bookings. It is suggested that licensing authorities should approach such requests on the basis that these vehicles – where they have fewer than nine passenger seats - have a legitimate role to play in the private hire trade, meeting a public demand. It is the Department's view that it is not a legitimate course of action for licensing authorities to adopt policies that exclude limousines as a matter of principle thereby excluding these services from the scope of the private hire vehicle regime and the safety benefits this provides. A blanket policy of excluding limousines may create an unacceptable risk to the travelling public, as it may lead to higher levels of unsupervised operation. Public safety considerations are best supported by policies that allow respectable, safe operators to obtain licences on the same basis as other private hire vehicle operators.
- 7.15 Stretched large limousines which clearly seat more than eight passengers should not be licensed as private hire vehicles because they are outside the licensing regime for private hire vehicles. However, in some circumstances a vehicle with space for more than eight passengers can be licensed as a private hire vehicle where the precise number of passenger seats is hard to determine. In these circumstances, the authority should consider the case on its merits in deciding whether to license the vehicle under the strict condition that the vehicle will not be used to carry more than eight passengers, bearing in mind that refusal may encourage illegal private hire operation.

8. Private Hire Vehicle Operator Licensing

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

Criminality checks for private hire vehicle operators

8.2 Enhanced DBS and barred list checks are not available for private hire vehicle operator licensing. **Licensing authorities should request a basic disclosure from the DBS and that a check is undertaken annually.** Any individual may apply for a basic check and the certificate will disclose any unspent convictions recorded on the Police National Computer (PNC). Licensing authorities should consider whether an applicant or licence holder with a conviction for offences provided in the annex to this document (Annex – Assessment of previous convictions), other than those relating to driving, meet the 'fit and proper' threshold.

8.3 However, it is important that authorities acknowledge that in many cases individuals that license as a private hire vehicle operator may already be licensed as a driver. An authority which undertakes the biannual DBS checks recommended for its drivers should not require those seeking a private hire vehicle operator licence to provide a basic DBS check as part of the application process; a basic DBS would not provide any information in addition to that disclosed under the enhanced DBS and barred lists check used for the driver assessment. In these circumstances, the authority should instead rely on the fact that the applicant is considered as fit and proper to hold a driver licence when considering their suitability to hold a vehicle licence. Should the individual cease to hold a driver licence a basic certificate should be required immediately

8.4 Refusal to license in individual as a driver or to suspend or revoke a driver licence does not automatically mean that that individual cannot be issued or continue to hold a private hire vehicle operator licence; this decision must be independent of a driver licence refusal and based on the appropriate information i.e. it should not consider information that would only be available via an enhanced DBS check but instead that which would be disclosed on a basic check. DBS certificate information can only be used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

8.5 A private hire vehicle operator licence may be applied for by a company or partnership; licensing authorities should apply the 'fit and proper' test to each of the directors or partners in that company or partnership. For this to be effective

private hire vehicle operators should be required to advise the licensing authority of any change in directors or partners.

- 8.6 As explained earlier in the context of driver licensing, the DBS cannot access criminal records held overseas. Further information on assessing the suitability of those that have spent extended periods in overseas is provided in paragraphs 4.34 - 4.36.

Booking and dispatch staff

- 8.7 Private hire vehicle drivers are not the only direct contact that private hire vehicle users have with private hire vehicle operators' staff, for example a person taking bookings (be it by phone or in person). A vehicle dispatcher decides which driver to send to a user, a position that could be exploited by those seeking to exploit children and vulnerable adults. It is therefore appropriate that all staff that have contact with private hire vehicle users and the dispatching of vehicles should not present an undue risk to the public or the safeguarding of children and vulnerable adults.
- 8.8 Licensing authorities should be satisfied that private hire vehicle operators can demonstrate that all staff that have contact with the public and/or oversee the dispatching of vehicles do not pose a risk to the public. **Licensing authorities should, as a condition of granting an operator licence, require a register of all staff that will take bookings or dispatch vehicles is kept.**
- 8.9 Operators should be required to evidence that they have had sight of a Basic DBS check on all individuals listed on their register of booking and dispatch staff and to ensure that Basic DBS checks are conducted on any individuals added to the register and that this is compatible with their policy on employing ex-offenders. DBS certificates provided by the individual should be recently issued when viewed, alternatively the operator could use a '[responsible organisation](#)' to request the check on their behalf. When individuals start taking bookings and dispatching vehicles for an operator they should be required, as part of their employment contract, to advise the operator of any convictions while they are employed in this role.
- 8.10 The register should be a 'living document' that maintains records of all those in these roles for the same duration as booking records are required to be kept, this will enable cross-referencing between the two records. A record that the operator has had sight of a basic DBS check certificate (although the certificate itself should not be retained) should be retained for the duration that the individual remains on the register. Should an employee cease to be on the register and later re-entered, a new basic DBS certificate should be requested and sight of this recorded.
- 8.11 Operators may outsource booking and dispatch functions but they cannot pass on the obligation to protect children and vulnerable adults. Operators should be required to evidence that comparable protections are applied by the company to which they outsource these functions.

8.12 Licensing authorities should also require operators or applicants for a licence to provide their policy on employing ex-offenders in roles that would be on the register as above. As with the threshold to obtaining a private hire vehicle operators' licence, those with a conviction for offences provided in the annex to this document (Annex – Assessment of previous convictions), other than those relating to driving, may not be suitable to decide who is sent to carry a child or vulnerable adult unaccompanied in a car.

Record keeping

8.13 Section 56 of the [Local Government \(Miscellaneous Provisions\) Act 1976](#) requires private hire vehicle operators to keep records of the particulars of every booking invited or accepted, whether it is from the passenger or at the request of another operator. **Licensing authorities should as a minimum require private hire vehicle operators to record the following information for each booking:**

- the name of the passenger;
- the time of the request;
- the pick-up point;
- the destination;
- the name of the driver;
- the driver's licence number;
- the vehicle registration number of the vehicle;
- the name of any individual that responded to the booking request;
- the name of any individual that dispatched the vehicle.

8.14 This information will enable the passenger to be traced if this becomes necessary and should improve driver security and facilitate enforcement. It is suggested that booking records should be retained for a minimum of six months.

8.15 Private hire vehicle operators have a duty under data protection legislation to protect the information they record. The Information Commissioner's Office provides comprehensive on-line guidance on registering as a data controller and how to meet their obligations.

Use of passenger carrying vehicles (PCV) licensed drivers

8.16 PCV licensed drivers are subject to different checks from taxi and private hire vehicle licensed drivers as the work normally undertaken, i.e. driving a bus, does not present the same risk to passengers. Members of the public are entitled to expect when making a booking with a private hire vehicle operator that they will receive a private hire vehicle licensed vehicle and driver. **The use of a driver who holds a PCV licence and the use of a public service vehicle (PSV) such**

as a minibus to undertake a private hire vehicle booking should not be permitted as a condition of the private hire vehicle operator's licence without the informed consent of the booker.

- 8.17 Where a private hire vehicle is unsuitable, for example where a larger vehicle is needed because more than eight passenger seats required or to accommodate luggage, the booker should be informed that a PSV is necessary, and that a PCV licenced driver will be used who is subject to different checks and not required to have an enhanced DBS check.

9. Enforcing the Licensing Regime

9.1 Implementing an effective framework for licensing authorities to ensure that as full a range of information made available to suitably trained decision makers that are supported by well-resourced officials is essential to a well-functioning taxi and private hire vehicle sector. These steps will help prevent the licensing of those that are not deemed 'fit and proper' but does not ensure that those already licensed continue to display the behaviours and standards expected.

Joint authorisation of enforcement officers

9.2 Licensing authorities should, where the need arises, jointly authorise officers from other authorities so that compliance and enforcement action can be taken against licensees from outside their area. An agreement between licensing authorities to jointly authorise officers enables the use of enforcement powers regardless of which authority within the agreement the officer is employed by and which issued the licence. This will mitigate the opportunities for drivers to evade regulation. Such an agreement will enable those authorities to take action against vehicles and drivers that are licensed by the other authority when they cross over boundaries. A model for agreeing joint authorisation is contained in the [LGA Councillors' handbook](#).

Setting expectations and monitoring

9.3 Licensing authorities should ensure that drivers are aware of the policies that they must adhere and are properly informed of what is expected of them and the repercussions for failing to do so. Some licensing authorities operate a points-based system, which allows minor breaches to be recorded and considered in context while referring those with persistent or serious breaches to the licensing committee. This has the benefit of consistency in enforcement and makes better use of the licensing committee's time.

9.4 The provision of a clear, simple and well-publicised process for the public to make complaints about drivers and operators will enable authorities to target compliance and enforcement activity (see paragraphs 4.29 - 4.33). This will provide a further source of intelligence when considering the renewal of licences and of any additional training that may be required. It is then for the licensing authority to consider if any intelligence indicates a need to suspend or revoke a licence in the interests of public safety.

Suspension and revocation of driver licences

9.5 Section 61 of the Local Government (Miscellaneous Provisions) Act 1976 provides a licensing authority with the ability to suspend or revoke a driver's licence on the following grounds: -

(a) that he has since the grant of the licence—

- (i) been convicted of an offence involving dishonesty, indecency or violence; or
- (ii) been convicted of an offence under or has failed to comply with the provisions of the Act of 1847 or of this Part of this Act;
- (aa) that he has since the grant of the licence been convicted of an immigration offence or required to pay an immigration penalty; or
- (b) any other reasonable cause

9.6 Licensing authorities have the option to suspend or revoke a licence should information be received that causes concern over whether a driver is a fit and proper person. Where the licence holder has been served an immigration penalty or convicted of an immigration offence the licence should be revoked immediately. [Guidance for licensing authorities](#) to prevent illegal working in the taxi and private hire vehicle sector has been issued by the Home Office. As with the initial decision to license a driver, this determination must be reached based on the balance of probabilities, not on the burden of beyond reasonable doubt.

9.7 Before any decision is made, the licensing authority must give full consideration to the available evidence and the driver should be given the opportunity to state his or her case. If a period of suspension is imposed, it cannot be extended or changed to revocation at a later date.

9.8 A decision to revoke a licence does not however prevent the reissuing of a licence should further information be received that alters the balance of probability of a decision previously made. The decision to suspend or revoke was based on the evidence available at the time the determination was made. New evidence may, of course, become available later.

9.9 New evidence may be produced at an appeal hearing that may result in the court reaching a different decision to that reached by the council or an appeal may be settled by agreement between the licensing authority and the driver on terms which, in the light of new evidence, becomes the appropriate course. If, for example, the allegations against a driver were now, on the balance of probability, considered to be unfounded, a suspension could be lifted or, if the licence was revoked, an expedited re-licensing process used.

9.10 A suspension may still be appropriate if it is believed that a minor issue can be addressed through additional training. In this instance the licence would be returned to the driver once the training has been completed without further consideration. This approach is clearly not appropriate where the licensing authority believes that, based on the information available at that time, on the balance of probability it is considered that the driver presents a risk to public safety.

Annex – Assessment of Previous Convictions

Legislation specifically identifies offences involving dishonesty, indecency or violence as a concern when assessing whether an individual is 'fit and proper' to hold a taxi or private hire vehicle licence. The following recommendations to licensing authorities on previous convictions reflect this.

Authorities must consider each case on its own merits, and applicants/licensees are entitled to a fair and impartial consideration of their application. Where a period is given below, it should be taken to be a minimum in considering whether a licence should be granted or renewed in most cases. The Department's view is that this places passenger safety as the priority while enabling past offenders to sufficiently evidence that they have been successfully rehabilitated so that they might obtain or retain a licence.

Crimes resulting in death

Where an applicant or licensee has been convicted of a crime which resulted in the death of another person or was intended to cause the death or serious injury of another person they will not be licensed.

Exploitation

Where an applicant or licensee has been convicted of a crime involving, related to, or has any connection with abuse, exploitation, use or treatment of another individual irrespective of whether the victim or victims were adults or children, they will not be licensed. This includes slavery, child sexual abuse, exploitation, grooming, psychological, emotional or financial abuse, but this is not an exhaustive list.

Offences involving violence against the person

Where an applicant has a conviction for an offence of violence against the person, or connected with any offence of violence, a licence will not be granted until at least 10 years have elapsed since the completion of any sentence imposed.

Possession of a weapon

Where an applicant has a conviction for possession of a weapon or any other weapon related offence, a licence will not be granted until at least seven years have elapsed since the completion of any sentence imposed.

Sexual offences

Where an applicant has a conviction for any offence involving or connected with illegal sexual activity, a licence will not be granted.

In addition to the above, the licensing authority will not grant a licence to any applicant who is currently on the Sex Offenders Register or on any barred list.

Dishonesty

Where an applicant has a conviction for any offence where dishonesty is an element of the offence, a licence will not be granted until at least seven years have elapsed since the completion of any sentence imposed.

Drugs

Where an applicant has any conviction for, or related to, the supply of drugs, or possession with intent to supply or connected with possession with intent to supply, a licence will not be granted until at least 10 years have elapsed since the completion of any sentence imposed.

Where an applicant has a conviction for possession of drugs, or related to the possession of drugs, a licence will not be granted until at least five years have elapsed since the completion of any sentence imposed. In these circumstances, any applicant may also have to undergo drugs testing for a period at their own expense to demonstrate that they are not using controlled drugs.

Discrimination

Where an applicant has a conviction involving or connected with discrimination in any form, a licence will not be granted until at least seven years have elapsed since the completion of any sentence imposed.

Motoring convictions

Hackney carriage and private hire drivers are professional drivers charged with the responsibility of carrying the public. It is accepted that offences can be committed unintentionally, and a single occurrence of a minor traffic offence would not prohibit the granting of a licence. However, applicants with multiple motoring convictions may indicate that an applicant does not exhibit the behaviours of a safe road user and one that is suitable to drive professionally.

Any motoring conviction while a licensed driver demonstrates that the licensee may not take their professional responsibilities seriously. However, it is accepted that offences can be committed unintentionally, and a single occurrence of a minor traffic offence may not necessitate the revocation of a taxi or private hire vehicle driver licence providing the authority considers that the licensee remains a fit and proper person to retain a licence.

Drink driving/driving under the influence of drugs

Where an applicant has a conviction for drink driving or driving under the influence of drugs, a licence will not be granted until at least seven years have elapsed since the completion of any sentence or driving ban imposed. In the case of driving under the influence of drugs, any applicant may also have to undergo drugs testing at their own expense to demonstrate that they are not using controlled drugs.

Using a hand-held device whilst driving

Where an applicant has a conviction for using a held-hand mobile telephone or a hand-held device whilst driving, a licence will not be granted until at least five years have elapsed since the conviction or completion of any sentence or driving ban imposed, whichever is the later.

Annex – Disclosure and Barring Service information

Table 1: Information included in criminal record checks

Information included	Type of check			
	Basic check	Standard DBS check	Enhanced DBS check	Enhanced DBS (including barred list) check
Unspent convictions	Yes	Yes	Yes	Yes
Unspent cautions ¹	Yes	Yes	Yes	Yes
Spent convictions ²	No	Yes	Yes	Yes
Spent cautions ^{1 & 2}	No	Yes	Yes	Yes
Additional police Information ³	No	No	Yes	Yes
Barred list(s) Information ⁴	No	No	No	Yes

1. Does not include fixed penalty notices, penalty notices for disorder or any other police or other out-of-court disposals.
2. Spent convictions and cautions that have become protected under the Rehabilitation of Offenders Act 1974 (Exceptions Order) 1975, as amended, are not automatically disclosed on any level of certificate. Further guidance is available [the DBS filtering guide](#).
3. This is any additional information held by the police which a chief police officer reasonably believes to be relevant and considers ought to be disclosed.
4. This is information as to whether the individual concerned is included in the children's or adults' barred lists maintained by the Disclosure and Barring Service (DBS).

Annex – CCTV Guidance

It is important to note that, in most circumstances, a licensing authority which mandates the installation of CCTV systems in taxis and private hire vehicles will be responsible for the data – the data controller. It is important that data controllers fully consider concerns regarding privacy and licensing authorities should consider how systems are configured, should they mandate CCTV (with or without audio recording). For example, vehicles may not be exclusively used for business, also serving as a car for personal use - it should therefore be possible to manually switch the system off (both audio and visual recording) when not being used for hire. Authorities should consider the Information Commissioner's view on this matter that, in most cases, a requirement for continuous operation is unlikely to be fair and lawful processing of personal data.

The Home Office '[Surveillance Camera Code of Practice](#)' advises that government is fully supportive of the use of overt surveillance cameras in a public place whenever that use is:

- in pursuit of a legitimate aim;
- necessary to meet a pressing need;
- proportionate;
- effective, and;
- compliant with any relevant legal obligations

The Code also sets out 12 guiding principles which, as a 'relevant authority' under section 33(5) of the [Protection of Freedoms Act 2012](#), licensing authorities must have regard to. It must be noted that, where a licence is granted subject to CCTV system conditions, the licensing authority assumes the role and responsibility of 'System Operator'. The role requires consideration of all guiding principles in this code. The failure to comply with these principles may be detrimental to the use of CCTV evidence in court as this may be raised within disclosure to the Crown Prosecution Service and may be taken into account.

The Surveillance Camera Commissioner (SCC) has provided guidance on the Surveillance Camera Code of Practice in its '[Passport to Compliance](#)' which provides guidance on the necessary stages when planning, implementing and operating a surveillance camera system to ensure it complies with the code. The Information Commissioner's Office (ICO) has also published a [code of practice](#) which, in this context, focuses on the data governance requirement associated with the use of CCTV such as data retention and disposal, which it is important to follow in order to comply with the data protection principles. The SCC provides a [self-assessment tool](#) to assist operators to ensure compliance with the principles set out in the Surveillance Camera Code of Practice. The SCC also operate a [certification scheme](#); authorities that obtain this accreditation are able to clearly demonstrate that their systems conform to the SCC's best practice and are fully compliant with the Code and increase public confidence that any risks to their privacy have been fully considered and mitigated.

The [Data Protection Act 2018](#) regulates the use of personal data. Part 2 of the Data Protection Act applies to the general processing of personal data, and references and supplements the General Data Protection Regulation. Licensing authorities, as data controllers, must comply with all relevant aspects of data protection law. Particular attention should be paid to the rights of individuals which include the right to be informed, of access

and to erasure. The ICO has provided detailed [guidance](#) on how data controllers can ensure compliance with these.

It is a further requirement of data protection law that before implementing a proposal that is likely to result in a high risk to the rights and freedoms of people, an impact assessment on the protection of personal data shall be carried out. The ICO recommends in [guidance](#) that if there is any doubt as to whether a Data Protection Impact Assessment (DPIA) is required one should be conducted to ensure compliance and encourage best practice. A DPIA will also help to assess properly the anticipated benefits of installing CCTV (to passengers and drivers) and the associated privacy risks; these risks might be mitigated by having appropriate privacy information and signage, secure storage and access controls, retention policies, training for staff how to use the system, etc.

It is essential to ensure that all recordings made are secure and can only be accessed by those with legitimate grounds to do so. This would normally be the police if investigating an alleged crime or the licensing authority if investigating a complaint or data access request. Encryption of the recording to which the licensing authority, acting as the data controller, holds the key, mitigates this issue and protects against theft of the vehicle or device. It is one of the guiding principles of data protection legislation, that personal data (including in this context, CCTV recordings and other potentially sensitive passenger information) is 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.

All passengers must be made fully aware if CCTV is operating in a vehicle. Given that audio recording is considered to be more privacy intrusive, it is even more important that individuals are fully aware and limited only to occasions when passengers (or drivers) consider it necessary. The recording of audio should be used to provide an objective record of events such as disputes or inappropriate behaviour and must not be continuously active by default and should recognise the need for privacy of passengers' private conversations between themselves. Activation of the audio recording capability of a system might be instigated when either the passenger or driver operates a switch or button. As well as clear signage in vehicles, information on booking systems should be introduced. This might be text on a website, scripts or automated messages on telephone systems; the Information Commissioner's Office (ICO) has issued guidance on privacy information and the right to be informed on its website.

Annex - Staying Safe: Guidance for Passengers

Licensing authorities should provide guidance to assist passengers in identifying licensed vehicles and the increased risks of using unlicensed vehicles. The guidance might include advice on:

- how to tell if a taxi or private hire vehicle is licensed.

Educate the public in the differences between taxis and private hire vehicles e.g.:

- a taxi can be flagged down or pre-booked.
- a private hire vehicle that has not been pre-booked should not be used as it will not be insured and may not be licensed.
- what a private hire vehicle should look like e.g. colour, signage, licence plates etc.
- the benefit of pre-booking a return vehicle before going out.
- arrange to be picked up from a safe meeting point.
- requesting at the time of booking what the fare is likely to be.

When using a private hire vehicle, passengers should always:

- book with a licensed operator.
- confirm their booking with the driver when s/he arrives.
- note the licence number.
- sit in the back, behind the driver.
- let a third party know details of their journey.

When using a taxi, passengers should where possible:

- use a taxi rank and choose one staffed by taxi marshals if available.

- Appendix B – Proposed changes document

No	Section*	Licensing Area	Item	Current situation	Proposed change	Working party agreement
1	6.2	Drivers	<p>Criminality checks for applicants and holders of driver’s licences – Enhanced Disclosure</p> <p>Drivers to be subject to an Enhanced Disclosure and Barring Service (DBS) check with searches on both barred lists.</p>	Every 3 years.	Every 6 months.	<p>Agreed with proposed change.</p> <p>Implementation: Within 6 months</p>
2	6.14	Drivers	<p>Language proficiency test</p> <p>Th DfT has commented that: “A lack of language proficiency could impact on a driver’s ability to understand written documents, such as policies and guidance, relating to the protection of children and vulnerable adults and applying this to identify and act on signs of exploitation. Oral proficiency will be of relevance in the identification of potential exploitation through communicating with passengers and their interaction with others.”</p> <p>Whilst the ‘Standards’ do not require adoption of a formal qualification in English language proficiency, the Council acknowledges the guidance above and notes some licensing authorities have such a requirement as part of their application process.</p>	<p>English language proficiency and numeracy is examined to an extent in the submission of the licence application, together with supporting documents; the Knowledge Test (which all applicants must pass – 80% pass mark); and the completion of the Driver Improvement Programme (DIP), Safeguarding training course, and the BTEC.</p>	We are seeking views on requiring applicants to obtain a recognised qualification or pass an approved course in English language proficiency.	<p>Working party felt that current system was sufficient to assess proficiency. Therefore no new formal qualification is proposed.</p>

65

* Refers to the relevant section number within the ‘Statutory Taxi & Private Hire Vehicle standards’ document

• Appendix B – Proposed changes document

No	Section*	Licensing Area	Item	Current situation	Proposed change	Working party agreement
3	7.2	Vehicles	<p>Criminality checks for applicants and proprietors of vehicle licences – Basic Disclosure</p> <p>Applicants and proprietors of vehicle licences (who are not existing holders of a driver’s licence) to be subject to a Basic Disclosure check.</p>	Not required by the licensing authority.	Every 12 months.	<p>Agreed with proposed changes.</p> <p>Implementation: Within 6 months</p>
4	4.33 and 7.7 – 7.13	Vehicles	<p>In-vehicle visual and audio recording – CCTV</p> <p>In terms of investigating complaints CCTV footage of an incident can provide an invaluable insight, providing an ‘independent witness’ to an event. This can assist in the decision whether to suspend or revoke a licence. The potential benefits of mandating CCTV in vehicles is discussed in paragraphs 7.7 - 7.13 of the ‘Standards’.</p> <p>All licensing authorities should consult to identify if there are local circumstances which indicate that the installation of CCTV in vehicles would have either a positive or an adverse net effect on the safety of taxi and private hire vehicle users, including children or vulnerable adults, and taking into account potential privacy issues.</p> <p>Imposition of a blanket requirement to attach CCTV as a condition to a licence is likely to give rise to concerns about the proportionality of such an approach and will therefore require an appropriately strong justification and must be kept under regular review. More information and guidance on assessing the impacts of CCTV and on an authority mandating CCTV is annexed to the ‘Standards’ document (Annex – CCTV guidance).</p>	Not required by the licensing authority.	We are seeking views on mandating, as a condition(s) of licence, a requirement to install CCTV in both private hire vehicles and hackney carriages.	<p>Determined that mandating CCTV would not be implemented. However, the use of CCTV would be encouraged and advice given. An advisory note has been produced by the licensing team in conjunction with the data protection officer.</p>

66

* Refers to the relevant section number within the ‘Statutory Taxi & Private Hire Vehicle standards’ document

- Appendix B – Proposed changes document

No	Section*	Licensing Area	Item	Current situation	Proposed change	Working party agreement
5	7.6 and 8.6 (4.34-4.36)	Vehicles & Operators	<p>Criminality checks for applicants and proprietors of both vehicle licences and private hire operator licences – ‘Certificates of Good Character’</p> <p>The DBS cannot access criminal records held overseas so other checks must be considered where an applicant has lived or worked overseas. Licensing Authorities should therefore seek or require applicants to provide where possible criminal records information or a ‘Certificate of Good Character’ from overseas in this circumstance to properly assess risks and support the decision-making process.</p>	Not required by the licensing authority.	In the case of an overseas applicant or an applicant that has spent more than 3 months out of this country; the applicant must provide a Certificate of Good Conduct, together with an authenticated and certified translation, from the relevant embassy for every country they have lived in, where appropriate.	<p>Agreed with proposed change</p> <p>Implementation: Within 6 months</p>
6	8.2	Operators	<p>Criminality checks for applicant and proprietors of private hire operator licences – Basic Disclosure</p> <p>Applicants and proprietors of a private hire operator’s licence (who are not existing holders of a driver’s licence) to be subject to a Basic Disclosure check. Where a company or partnership applies or holds a licence then each director or partner will be required to produce a Basic Disclosure certificate.</p>	Every 5 years.	Every 12 months.	<p>Agreed with proposed change.</p> <p>Implementation: Within 6 months</p>

* Refers to the relevant section number within the ‘Statutory Taxi & Private Hire Vehicle standards’ document

- Appendix B – Proposed changes document

No	Section*	Licensing Area	Item	Current situation	Proposed change	Working party agreement
7	8.8	Operators	<p>Register of staff</p> <p>Licensing authorities should be satisfied that private hire vehicle operators can demonstrate that all staff that have contact with the public and/or oversee the dispatching of vehicles do not pose a risk to the public.</p> <p>Licensing authorities should therefore, as a condition of granting an operator licence, require a register of all staff that will take bookings or dispatch vehicles is kept.</p>	Not required by the licensing authority.	It shall become a condition of the licence that the operator maintains a live register of all booking and dispatch staff, where applicable.	<p>Agreed with proposed change.</p> <p>Implementation: Within 6 months</p>
8	8.9	Operators	<p>Criminality checks for booking and dispatch staff employed by private hire operators</p> <p>Operators should be required to evidence that they have had sight of a Basic Disclosure check for all individuals listed on their register of booking and dispatch staff and to ensure that Basic Disclosure checks are conducted on any individuals added to the register and that it is compatible with their policy on employing ex-offenders.</p>	Not required by the licensing authority.	It shall become a condition of the licence that the operator must require and declare that all booking and dispatch staff have been subject to a Basic Disclosure, where applicable.	<p>Agreed with proposed change.</p> <p>Implementation: Within 6 months</p>

* Refers to the relevant section number within the 'Statutory Taxi & Private Hire Vehicle standards' document

- Appendix B – Proposed changes document

No	Section*	Licensing Area	Item	Current situation	Proposed change	Working party agreement
9	8.13 and 8.14	Operators	<p>Record keeping standards for private hire operators</p> <p>Licensing authorities should as a minimum require private hire vehicle operators to record the following information for each booking: the name of the passenger; the time of the request; the time the vehicle is required; the pick-up point; the destination; the name of the driver; the driver's licence number; the vehicle registration number of the vehicle, the name of any individual that responded to the booking request; and, the name of any individual that dispatched the vehicle.</p>	Operators are required to maintain records to the standards as per Appendix B of the 'Hackney Carriage & Private Hire Licensing Policy'.	It shall become a condition of the licence that the operator must maintain the information outlined opposite for each booking for a minimum of 6 months.	<p>Agreed with proposed change</p> <p>Implementation: Within 6 months</p>
10	8.15	Operators	<p>Registration with the Information Commissioner's Office as a data controller</p> <p>Private hire vehicle operators have a duty under data protection legislation to protect the information they record. The Information Commissioner's Office (ICO) provides comprehensive on-line guidance on registering as a data controller and how to meet their obligations.</p>	Some Operators may already be registered with the ICO, but confirmation checks are not routinely undertaken by the Council, nor are they mandated by the Council.	It shall become a condition of the licence that the operator must register with the ICO as a data controller, where applicable.	<p>Agreed with proposed change.</p> <p>Implementation: Within 6 months</p>

* Refers to the relevant section number within the 'Statutory Taxi & Private Hire Vehicle standards' document

- Appendix B – Proposed changes document

No	Section*	Licensing Area	Item	Current situation	Proposed change	Working party agreement
11	8.16	Operators	<p>Use of passenger carrying vehicles (PCV) licensed drivers</p> <p>PCV licensed drivers are subject to different checks from taxi and private hire vehicle licensed drivers as the work normally undertaken, i.e. driving a bus, does not present the same risk to passengers. Members of the public are entitled to expect when making a booking with a private hire vehicle operator that they will receive a private hire vehicle licensed vehicle and driver. The use of a driver who holds a passenger carrying vehicle (PCV) licence and the use of a public service vehicle (PSV) such as a minibus to undertake a private hire vehicle booking should not be permitted as a condition of the private hire vehicle operator's licence without the informed consent of the booker. Where a booking required provision of a PSV then the person making the booking should be advised that a PCV licensed driver is subject to different checks.</p>	Not a condition attached to operator licences.	It shall become a condition of the licence that the operator must not use a PCV licensed driver and PSV to fulfil a booking without the consent of the booker. Where used, the booker must be advised the driver is subject to different checks.	<p>Agreed with proposed change.</p> <p>Implementation: Within 6 months</p>

70

* Refers to the relevant section number within the 'Statutory Taxi & Private Hire Vehicle standards' document

• Appendix B – Proposed changes document

No	Section*	Licensing Area	Item	Current situation	Proposed change	Working party agreement
12	4.12	General	<p>Notification of convictions etc.</p> <p>Licence holders must notify the licensing authority of any arrest and release, charge or conviction of any sexual offence, any offence involving dishonesty or violence and any motoring offence.</p>	<p>Licensed drivers must notify the Council in writing immediately of any criminal convictions, findings of guilt (including fixed penalty tickets), cautions and warnings, whether for motoring or other offences, and any breaches of this requirement may result in the suspension of the licence and the matter will be referred to the Licensing Committee for consideration.</p> <p>Licensed operators shall report to the Council's Licensing Officer all convictions notified by persons working under the Operator's Licence.</p>	<p>Within 48 hours (2 days).</p>	<p>Agreed with proposed change.</p> <p>Implementation: Within 6 months</p>

* Refers to the relevant section number within the 'Statutory Taxi & Private Hire Vehicle standards' document

- Appendix B – Proposed changes document

No	Section*	Licensing Area	Item	Current situation	Proposed change	Working party agreement
13	4.14	General	<p>Referral of matters to the Disclosure and Barring Service (DBS)</p> <p>Any decision by the licensing authority to refuse to grant or revoke a licence as an individual is thought to present a risk of harm to a child or vulnerable adult, should be referred to the DBS. Rationale include: a) an individual has harmed or poses a risk of harm to a child or vulnerable adult; b) an individual has satisfied the '<u>harm test</u>'; c) received a caution or conviction for a relevant offence; and, d) the person they are referring is, has or might in the future be working in a regulated activity.</p>	Not routinely undertaken.	Relevant matters to be referred to the DBS, where considered appropriate.	<p>Agreed with proposed change.</p> <p>Implementation: Immediately</p>

* Refers to the relevant section number within the 'Statutory Taxi & Private Hire Vehicle standards' document

• Appendix B – Proposed changes document

No	Section*	Licensing Area	Item	Working party agreement																						
14	5.16	General	<p>Assessment of previous convictions</p> <p>The following eligibility criteria should be adopted and used as a starting point when considering whether to grant or renew a licence. Where a definite period is given then this will take effect after the completion of any sentence has elapsed. Authorities must consider each case on its own merits, and applicants/licensees are entitled to a fair and impartial consideration of their application.</p> <p><i>N.B. for current assessment of previous convictions please see ‘Statement Of Policy On Relevant Convictions’ (Appendix I of the ‘Hackney Carriage & Private Hire Licensing Policy’).</i></p> <table border="1" data-bbox="461 528 1912 1321"> <thead> <tr> <th data-bbox="461 528 1402 667">Offence</th> <th data-bbox="1402 528 1912 667">Minimum period that must have elapsed before considering whether to grant or renew a licence</th> </tr> </thead> <tbody> <tr> <td data-bbox="461 667 1402 743">A. Crimes resulting in the death of another person or intention to cause the death or serious injury of another person.</td> <td data-bbox="1402 667 1912 743">Applicant / licensee will not be licensed.</td> </tr> <tr> <td data-bbox="461 743 1402 858">B. Crimes involving, related to or connected with abuse, exploitation use or treatment of another individual irrespective of whether the victim or victims were adults or children.</td> <td data-bbox="1402 743 1912 858">Applicant / licensee will not be licensed.</td> </tr> <tr> <td data-bbox="461 858 1402 935">C. Offences involving violence against the person or connected with any violence against a person.</td> <td data-bbox="1402 858 1912 935">10 years</td> </tr> <tr> <td data-bbox="461 935 1402 975">D. Possession of a weapon or any weapon-related offence.</td> <td data-bbox="1402 935 1912 975">7 years</td> </tr> <tr> <td data-bbox="461 975 1402 1051">E. Sexual offences and individuals listed on the Sex Offenders Register or barred lists.</td> <td data-bbox="1402 975 1912 1051">Applicant / licensee will not be licensed.</td> </tr> <tr> <td data-bbox="461 1051 1402 1091">F. Offences involving an element of dishonesty.</td> <td data-bbox="1402 1051 1912 1091">7 years</td> </tr> <tr> <td data-bbox="461 1091 1402 1206">G. Drugs: i) Supply or possession with intent to supply. ii) Possession only.</td> <td data-bbox="1402 1091 1912 1206">10 years 5 years *</td> </tr> <tr> <td data-bbox="461 1206 1402 1246">H. Discrimination offences.</td> <td data-bbox="1402 1206 1912 1246">7 years</td> </tr> <tr> <td data-bbox="461 1246 1402 1286">I. Drink driving/driving under the influence of drugs.</td> <td data-bbox="1402 1246 1912 1286">7 years *</td> </tr> <tr> <td data-bbox="461 1286 1402 1321">J. Using a handheld device whilst driving.</td> <td data-bbox="1402 1286 1912 1321">5 years</td> </tr> </tbody> </table> <p><i>* in addition, any applicant/licence holder may also be required to undergo drugs testing for a period at their own expense to demonstrate that they are not using controlled drugs.</i></p>	Offence	Minimum period that must have elapsed before considering whether to grant or renew a licence	A. Crimes resulting in the death of another person or intention to cause the death or serious injury of another person.	Applicant / licensee will not be licensed.	B. Crimes involving, related to or connected with abuse, exploitation use or treatment of another individual irrespective of whether the victim or victims were adults or children.	Applicant / licensee will not be licensed.	C. Offences involving violence against the person or connected with any violence against a person.	10 years	D. Possession of a weapon or any weapon-related offence.	7 years	E. Sexual offences and individuals listed on the Sex Offenders Register or barred lists.	Applicant / licensee will not be licensed.	F. Offences involving an element of dishonesty.	7 years	G. Drugs: i) Supply or possession with intent to supply. ii) Possession only.	10 years 5 years *	H. Discrimination offences.	7 years	I. Drink driving/driving under the influence of drugs.	7 years *	J. Using a handheld device whilst driving.	5 years	<p>Agreed that the new criteria be adopted alongside our own conviction guidelines with the more stringent criteria taking precedence.</p> <p>Implementation: Within 6 months</p>
Offence	Minimum period that must have elapsed before considering whether to grant or renew a licence																									
A. Crimes resulting in the death of another person or intention to cause the death or serious injury of another person.	Applicant / licensee will not be licensed.																									
B. Crimes involving, related to or connected with abuse, exploitation use or treatment of another individual irrespective of whether the victim or victims were adults or children.	Applicant / licensee will not be licensed.																									
C. Offences involving violence against the person or connected with any violence against a person.	10 years																									
D. Possession of a weapon or any weapon-related offence.	7 years																									
E. Sexual offences and individuals listed on the Sex Offenders Register or barred lists.	Applicant / licensee will not be licensed.																									
F. Offences involving an element of dishonesty.	7 years																									
G. Drugs: i) Supply or possession with intent to supply. ii) Possession only.	10 years 5 years *																									
H. Discrimination offences.	7 years																									
I. Drink driving/driving under the influence of drugs.	7 years *																									
J. Using a handheld device whilst driving.	5 years																									

* Refers to the relevant section number within the ‘Statutory Taxi & Private Hire Vehicle standards’ document

This page is intentionally blank.

• **Annex B – Survey on ‘Statutory Taxi & Private Hire Vehicle Standards’ Consultation**

Deadline: 21st February 202

Please send by e-mail to: licensing@lincoln.gov.uk or by post to: The Licensing Team, City of Lincoln Council, City Hall, Beaumont Fee, Lincoln, LN1 1D
Alternatively you can submit your response in person, to a member of the licensing team, at City Hall, by appointment only. Please contact The Licensin Team on 01522 873263 or via email at licensing@lincoln.gov.uk

No.	Summary	Do you agree with this proposal?	Additional comments
1	Drivers will be subject to an Enhanced Disclosure and Barring Service (DBS) check with searches on both barred lists every 6 months.	Yes / No	
<p>Please note that if the above requirement is mandated then we strongly recommend that all drivers sign up to the DBS Update Service. This will enable the licensing team to routinely check for new information every six months at no extra cost to each individual driver.</p> <p>Drivers that <u>do not</u> subscribe to the Update Service will still be subject to a check every 6 months at their own expense, the fee for an enhanced DBS check is currently levied at £40.00.</p>			
2	Should new driver applicants be required to obtain a recognised qualification or undertake an English language proficiency course as part of the application process?	Yes / No	STRONGLY AGREE
3	Applicants and proprietors of vehicle licences (who are not existing holders of a driver's licence) will be subject to a Basic Disclosure check every 12 months.	Yes / No	
4	Should the local authority mandate, as a condition(s) of licence, a requirement to install CCTV in both private hire vehicles and hackney carriages?	Yes / No	UNDECIDED
5	Applicants and proprietors of both vehicle licences and private hire operator's licences, who are either living overseas or have spent more than 3 months out of this country, must provide a 'Certificate of Good Conduct' together with an authenticated and certified translation from the relevant embassy for every country they have lived in, where appropriate.	Yes / No	AND PROOF OF IDENTITY
No.	Summary	Do you agree with this proposal?	Additional comments

• **Annex B – Survey on ‘Statutory Taxi & Private Hire Vehicle Standards’ Consultation**

Deadline: 21st February 202

Please send by e-mail to: licensing@lincoln.gov.uk or by post to: The Licensing Team, City of Lincoln Council, City Hall, Beaumont Fee, Lincoln, LN1 1D
Alternatively you can submit your response in person, to a member of the licensing team, at City Hall, by appointment only. Please contact The Licensin Team on 01522 873263 or via email at licensing@lincoln.gov.uk

No.	Summary	Do you agree with this proposal?	Additional comments
6	Applicants and proprietors of private hire operator's licences (who are not existing holders of a driver's licence) to be subject to a Basic Disclosure check every 12 months. Where a company or partnership applies or holds a licence then each director or partner will be required to produce a Basic Disclosure certificate.	Yes / No	
7	It shall become a condition of a private hire operator's licence that the operator maintains a live register of all booking and dispatch staff, where applicable.	Yes / No	
8	It shall become a condition of a private hire operator's licence that the operator must require and declare that all booking and dispatch staff have been subject to a Basic Disclosure, where applicable.	Yes / No	
9	It shall become a condition of a private hire operator's licence that the operator must maintain the details set out at No. 9 of the 'Annex A – Proposed changes document' for every booking for a minimum of 6 months.	Yes / No	
10	It shall become a condition of a private hire operator's licence that the operator must register with the Information Commissioner's Officer (ICO) as a data controller, where applicable.	Yes / No	
11	It shall become a condition of a private hire operator's licence that the operator must not use a passenger carrying vehicle (PCV) licensed driver and a public service vehicle (PSV) to fulfil a booking without the consent of the booker. Where used, the booker must be advised the driver is subject to different checks.	Yes / No	UNDECIDED
No.	Summary	Do you agree with this proposal?	Additional comments

• **Annex B – Survey on ‘Statutory Taxi & Private Hire Vehicle Standards’ Consultation**

Deadline: 21st February 2022

Please send by e-mail to: licensing@lincoln.gov.uk or by post to: The Licensing Team, City of Lincoln Council, City Hall, Beaumont Fee, Lincoln, LN1 1D. Alternatively you can submit your response in person, to a member of the licensing team, at City Hall, by appointment only. Please contact The Licensing Team on 01522 873263 or via email at licensing@lincoln.gov.uk

12	All licence holders will be required to notify the licensing authority within 48 hours (2 days) of any arrest and release, charge or conviction of any sexual offence, any offence involving dishonesty or violence and any motoring offence.	Yes / No <input checked="" type="checkbox"/>	
13	Any decision by the licensing authority to refuse to grant or revoke a licence to an individual thought to present a risk of harm to a child or vulnerable adult will be referred to the Disclosure and Barring Service (DBS). Rationale for referral are set out at No. 13 of the ‘Annex A – Proposed changes document’.	Yes / No <input checked="" type="checkbox"/>	
14	The eligibility criteria set out at No. 14 in the ‘Annex A – Proposed changes document’ (relating to the assessment of previous convictions) will be adopted in the determination of granting or renewing hackney carriage and private hire licences.	Yes / No <input checked="" type="checkbox"/>	

Your details

Name (and any organisations you are representing):

[Redacted]

Date:

30-01-2022

[Redacted]

• **Annex B – Survey on 'Statutory Taxi & Private Hire Vehicle Standards' Consultation**

Deadline: 21st February 2022

Please send by e-mail to: licensing@lincoln.gov.uk or by post to: The Licensing Team, City of Lincoln Council, City Hall, Beaumont Fee, Lincoln, LN1 1DF. Alternatively you can submit your response in person, to a member of the licensing team, at City Hall, by appointment only. Please contact The Licensing Team on 01522 873263 or via email at licensing@lincoln.gov.uk

No.	Summary	Do you agree with this proposal?	Additional comments
1	Drivers will be subject to an Enhanced Disclosure and Barring Service (DBS) check with searches on both barred lists every 6 months.	Yes / No	
<p>Please note that if the above requirement is mandated then we strongly recommend that all drivers sign up to the DBS Update Service. This will enable the licensing team to routinely check for new information every six months at no extra cost to each individual driver.</p> <p>Drivers that <u>do not</u> subscribe to the Update Service will still be subject to a check every 6 months at their own expense, the fee for an enhanced DBS check is currently levied at £40.00.</p>			
2	Should new driver applicants be required to obtain a recognised qualification or undertake an English language proficiency course as part of the application process?	yes	
3	Applicants and proprietors of vehicle licences (who are not existing holders of a driver's licence) will be subject to a Basic Disclosure check every 12 months	No	
4	Should the local authority mandate, as a condition(s) of licence, a requirement to install CCTV in both private hire vehicles and hackney carriages?	Yes	
5	Applicants and proprietors of both vehicle licences and private hire operator's licences, who are either living overseas or have spent more than 3 months out of this country, must provide a 'Certificate of Good Conduct' together with an authenticated and certified translation from the relevant embassy for every country they have lived in, where appropriate.	No	

• **Annex B – Survey on 'Statutory Taxi & Private Hire Vehicle Standards' Consultation**

Deadline: 21st February 2022

Please send by e-mail to: licensing@lincoln.gov.uk or by post to: The Licensing Team, City of Lincoln Council, City Hall, Beaumont Fee, Lincoln, LN1 1DF. Alternatively you can submit your response in person, to a member of the licensing team, at City Hall, by appointment only. Please contact The Licensing Team on 01522 873263 or via email at licensing@lincoln.gov.uk.

No.	Summary	Do you agree with this proposal?	Additional comments
6	Applicants and proprietors of private hire operator's licences (who are not existing holders of a driver's licence) to be subject to a Basic Disclosure check every 12 months. Where a company or partnership applies or holds a licence then each director or partner will be required to produce a Basic Disclosure certificate.	No	
7	It shall become a condition of a private hire operator's licence that the operator maintains a live register of all booking and dispatch staff, where applicable.	No comment	
8	It shall become a condition of a private hire operator's licence that the operator must require and declare that all booking and dispatch staff have been subject to a Basic Disclosure, where applicable.	N/A	
9	It shall become a condition of a private hire operator's licence that the operator must maintain the details set out at No. 9 of the 'Annex A – Proposed changes document' for every booking for a minimum of 6 months.	N/A	
10	It shall become a condition of a private hire operator's licence that the operator must register with the Information Commissioner's Officer (ICO) as a data controller, where applicable.	N/A	
11	It shall become a condition of a private hire operator's licence that the operator must not use a passenger carrying vehicle (PCV) licensed driver and a public service vehicle (PSV) to fulfil a booking without the consent of the booker. Where used, the booker must be advised the driver is subject to different checks.	N/A	

• **Annex B – Survey on 'Statutory Taxi & Private Hire Vehicle Standards' Consultation**

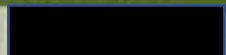
Deadline: 21st February 2022

Please send by e-mail to: licensing@lincoln.gov.uk or by post to: The Licensing Team, City of Lincoln Council, City Hall, Beaumont Fee, Lincoln, LN1 1DF
Alternatively you can submit your response in person, to a member of the licensing team, at City Hall, by appointment only. Please contact The Licensing Team on 01522 873263 or via email at licensing@lincoln.gov.uk

No.	Summary	Do you agree with this proposal?	Additional comments
12	All licence holders will be required to notify the licensing authority within 48 hours (2 days) of any arrest and release, charge or conviction of any sexual offence, any offence involving dishonesty or violence and any motoring offence.	No	
13	Any decision by the licensing authority to refuse to grant or revoke a licence to an individual thought to present a risk of harm to a child or vulnerable adult will be referred to the Disclosure and Barring Service (DBS). Rationale for referral are set out at No. 13 of the 'Annex A – Proposed changes document'.	No comment	
14	The eligibility criteria set out at No. 14 in the 'Annex A – Proposed changes document' (relating to the assessment of previous convictions) will be adopted in the determination of granting or renewing hackney carriage and private hire licences.	Yes / No	

Your details

Name (and any organisations you are representing):



Date: 11/02/2022

This page is intentionally blank.