Shropshire Council
Legal and Democratic Services
Guildhall,
Frankwell Quay,
Shrewsbury
SY3 8HQ

Date: Tuesday, 29 September 2026

Committee:
Strategic Licensing Committee

Date: Wednesday, 7 October 2026
Time: 10.00 am
Venue: The Shrewsbury Room, The Guildhall, Frankwell Quay, Shrewsbury, SY3 8HQ

You are requested to attend the above meeting. The Agenda is attached

There will be some access to the meeting room for members of the press and public, but this will be limited. If you wish to attend the meeting please email democracy@shropshire.gov.uk to check that a seat will be available for you.

Please click here to view the livestream of the meeting on the date and time stated on the agenda*.

The recording of the event will also be made available shortly after the meeting on the Shropshire Council Youtube Channel Here

Richard Phillips
Service Director – Legal and Governance (Monitoring Officer)

Members of the Committee
Jon Tandy (Chairman)
Brian Evans (Vice Chairman)
Jamie Daniels
Greg Ebbs
Susan Eden
Andy Boddington
Adam Fejfer
Rhys Gratton
Nick Hignett
Peter Husemann
Christopher Lemon
Nigel Lumby
Vicky Moore
Mark Owen
Colin Taylor

Substitute Members of the Committee
Neil Bentley
Duncan Borrowman
Julian Dean
Mandy Duncan
Alan Holford
Benedict Jephcott
Brendan Mallon
Malcolm Myles-Hook
Chris Naylor
Ed Potter
Carl Rowley
Colin Stanford
Teri Trickett
Sam Walmsley

Your Committee Officer is:

Tim Ward Committee Officer
Tel: 01743 257713
Email: tim.ward@shropshire.gov.uk

When attending this meeting, Members are reminded of the three principles of the Jo Cox Foundation and Compassion in Politics Civility Pledge:

1. *Use a civil and constructive tone in debate*
2. *Act with integrity, honesty and compassion*
3. *Behave respectfully towards others, including those I disagree with*

*(Please note that while we strive to live stream meetings, technical issues may occasionally occur. In the event of a technical disruption, the meeting will be paused to try to resolve the issue. Should it not be possible to resume the live stream, the meeting will proceed as scheduled, and a backup recording will be made available after the meeting. Any disruption to the live stream does not affect the legality of the meeting).

AGENDA

1 Apologies

To receive apolgies for absence

2 Minutes of Previous Meeting (Pages 1 - 6)

To approve the minutes of the previous meetings held on 11 March 2026 and 14 May 2026 as a true record

3 Disclosable Pecuniary Interests

Members are reminded that they must declare their disclosable pecuniary interests and other registrable or non-registrable interests in any matter being considered at the meeting as set out in Appendix B of the Members' Code of Conduct and consider if they should leave the room prior to the item being considered. Further advice can be sought from the Monitoring Officer in advance of the meeting.

4 Public Question Time

To receive any public questions from the public, notice of which has been given in accordance with Procedure Rule 14. The deadline for this meeting is 12 noon on Thursday 1 October 2026.

5 Review of the Hackney Carriage and Private Hire Licensing Policy 2027 to 2031 (Pages 7 - 316)

Report of the Transactional Management and Licensing Manager is attached.

Contact: Mandy Beever (01743 251702)

6 Licensing Fees and Charges 2027 - 2028 (Pages 317 - 378)

Report of the Transactional Management and Licensing Manager is attached.

Contact: Mandy Beever (01743 251702)

7 Exercise of Delegated Powers (Pages 379 - 390)

Report of the Transactional Management and Licensing Manager is attached.

Contact: Mandy Beever (01743 251702)

8 Date of Next Meeting

To note that the next scheduled meeting of the Strategic Licensing Committee will be held on Wednesday 9 December 2026 at 10.00am

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Shropshire Council

Strategic Licensing Committee 24 June 2026	Item Public

MINUTES OF THE STRATEGIC LICENSING COMMITTEE MEETING HELD ON 11 MARCH 2026
10.00 - 10.15 AM

Responsible Officer: Tim Ward
Email: tim.ward@shropshire.gov.uk Tel: 01743 257713

Present
Councillor Jon Tandy (Chairman)
Councillors Brian Evans (Vice Chairman), Jamie Daniels, Greg Ebbs, Susan Eden, Rhys Gratton, Peter Husemann, Christopher Lemon, Mark Owen and Colin Taylor

19 **Apologies**

19.1 Apologies for absence were received from Councillors Adam Fejfer, Nick Hignett, Alan Holford, Nigel Lumby and Vicky Moore

20 **Minutes of Previous Meeting**

20.1 The minutes of the meeting held on the 8 October 2025 had been circulated

20.2 **RESOLVED:**

That the minutes of the meeting held on 8 October 2026 be approved as a true record and signed by the Chairman

21 **Public Question Time**

21.1 There were no public questions

22 **Disclosable Pecuniary Interests**

22.2 There were no declarations made

23 **The Hackney Carriage and Private Hire Licensing Policy 2027 to 2031**

23.1 Members received the report of the Transactional and Licensing Team Manager which set out the proposed Hackney Carriage and Private Hire Licensing Policy 2027 to 2031 (the Policy) upon which the Council proposes to consult.

23.2 The Transactional and Licensing Team Manager reminded Members that the policy had to be reviewed every four years and had been updated to take account of changes in national guidance and legislation. She added that there was

requirement to consult on the proposed policy with the taxi trade and that a 12 week consultation was proposed after which a report would be brought back to the Committee to confirm the policy.

23.3 **RESOLVED**:

That the Strategic Licensing Committee agree for formal consultation to be undertaken on the proposed Hackney Carriage and Private Hire Licensing Policy for no less than 12 weeks to commence from 6 April 2026.

24 Hackney Carriage and Private Hire Licensing Fees 2026 - 2027

24.1 Members received the report of the Transactional and Licensing Team Manager which set out the objections to be considered by the Strategic Licensing Committee in respect of the variations proposed to the fees in relation to driver, hackney carriage, private hire vehicle and operator licences. The report aims to enable the Committee to determine the fees that will take effect from 1 April 2026.

24.2 The Transactional and Licensing Team Manager reminded Members that the draft fees had been considered at the last meeting and a period of consultation had taken place. She added that the responses received and the response from Officers were included in the report.

24.3 A Member commented that he had received complaints regarding the number of drivers from outside the county. The Transactional and Licensing Team Manager explained that the current rules had arisen from the Deregulation Act 2015 and there was little that could be done.

24.4 A Member commented that there were a number of comments around the differences in fees charged by Wolverhampton Council. The Transactional and Licensing Team Manager advised that the disparity arose around the way the charge was calculated in that the fee for Wolverhampton only covered the licence application and there were other costs that had to be borne by the applicant such a DBS check, knowledge tests and safeguarding training which were all included in the fee that Shropshire charged.

24.5 **RESOLVED**:

That the Committee, in accordance with the provisions of Section 70 (5) of the Local Government (Miscellaneous Provisions) Act 1976, considers the objections received, together with associated officer comments, as set out in **Appendix A**, following the legally prescribed objection process that was undertaken in respect of the variations proposed to the fees in relation to driver, hackney carriage, private hire vehicle and operator licences and agrees, with any further modifications if necessary, to implement the variations proposed to the fees as set out in **Appendix B** with effect from 1 April 2026, this being a date not later than 2 months after the 9 February 2026.

25 Exercise of Delegated Powers

25.1 Members received the report of the Transactional and Licensing Team Manager which set out details of work carried out by the licencing team during the period 1 September 2025 to 31 January 2026

25.2 The Transactional and Licensing Team Manager reminded Members that this report was brought to every meeting and that it set out the levels of work of the Licencing Team.

25.3 **RESOLVED**

That members note the position as set out in the report

26 Date of Next Meeting

26.1 Members were advised that the next scheduled meeting of the Strategic Licensing Committee will be held on Wednesday 24 June 2026 at 10.00am

<TRAILER_SECTION>

Signed …… (Chairman)

Date:

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Strategic Licensing Committee 26 June 2026	Item Public

MINUTES OF THE STRATEGIC LICENSING COMMITTEE MEETING HELD ON 14 MAY 2026
12.00 - 12.10 PM

Responsible Officer: Tim Ward
Email: tim.ward@shropshire.gov.uk Tel: 01743 257713

Present

Councillors Bernie Bentick, Jamie Daniels, Greg Ebbs, Susan Eden, Brian Evans, Adam Fejfer, Rhys Gratton, Nick Hignett, Peter Husemann, Christopher Lemon, Nigel Lumby, Vicky Moore, Mark Owen, Jon Tandy and Colin Taylor

1 **Election of Chairman**

It was proposed, seconded and duly **RESOLVED**

That Councillor Jon Tandy be elected Chairman of the Strategic Licencing Committee for the forthcoming municipal year

2 **Apologies**

There were no apologies for absence

3 **Appointment of Vice-Chair**

It was proposed, seconded and duly **RESOLVED**

That Councillor Brian Evans be appointed Vice-Chairman of the Strategic Licencing Committee for the forthcoming municipal year

Signed …… (Chairman)

Date:

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Committee	Strategic Licensing Committee
Date and Time	7 October 2026 Public

Review of the Hackney Carriage and Private Hire Licensing Policy 2027 to 2031

Cabinet Member:	Councillor Roger Evans – Portfolio Holder for Finance
Lead Director:	Richard Philips Service Director - Legal & Governance (Monitoring Officer)
Service Area:	Transactional Management and Licensing
Report Author	Mandy Beever, Transactional Management and Licensing Manager
Officer contact details	01743 251702 Mandy.Beever@shropshire.gov.uk
Electoral Divisions Affected	All
Key Decision?	Not Key Decision
Cabinet Forward Plan	Not Applicable
Report considered by	Strategic Licencing Committee 7 October 2026

1. Purpose of Report

1.1. This report sets out the proposed Hackney Carriage and Private Hire Licensing Policy 2027 to 2031 (the Policy) for consideration following review of the existing policy, relevant legislation and statutory guidance, operational experience and consultation feedback. It seeks the Committee's endorsement of the proposed policy, subject to any agreed modifications, for onward consideration and final approval.

2. Recommendations

2.1. The Committee considers all the responses submitted during the consultation period as set out in **Appendix A** and notes the officer's summary as set out in **Appendix B**.

2.2. The Committee agrees, subject to any necessary modifications, the proposed Hackney Carriage and Private Hire Licensing Policy 2027 to 2031 as set out at **Appendix C** to come into effect from 1 April 2027.

3. Background

3.1. The existing Hackney Carriage and Private Hire Licensing Policy came into effect on the 1 April 2023 and is due to expire on 31 March 2027. As a result, Officers sent notification of an informal consultation to the trade inviting submissions about possible amendments that Trade representatives would like to be included within the revised policy. This was sent out by email to the trade on 24 November 2025 and closed on 21 December 2025.

3.2. Submissions were received and officers considered the comments made along with the additional proposals.

3.3. The Policy was then revised taking into account the changes in guidance and legislation and in consideration of the officers' summary of the informal comments made by Trade representatives.

3.4. The revised policy was then formally consulted upon for a 12-week period from 6 April 2026 to the 28 June 2026.

3.5. A Taxi Forum was held on the 29 May 2026 to provide the trade with the opportunity to discuss the policy and any amendments they may be considering submitting as part of the consultation. Notes from the Taxi Forum can be seen in **Appendix A** at **Document 30**.

3.6. The consultation welcomed and encouraged all interested parties to provide feedback in relation to the content of the whole policy asking for any suggested improvements that could be made to the policy, which would support hackney carriage and private hire businesses.

3.7. In addition, there were two specific questions put to the trade representatives. The Trade were asked if they would;

- support the mandating of the installation of CCTV systems in hackney carriage and private hire vehicles.
- support mandating the availability of contactless payments in hackney carriage and private hire vehicles.

3.8. There were 1046 emails sent out to the trade and only 29 responses were received. Of those responses 10 supported the mandating of the installation of CCTV and 8

did not support it. 13 supported the mandating of contactless payments and 4 did not support it.

3.9. A few responses were received in relation to the Age and Emissions section of the Policy, including requests from trade representatives for additional time to licence vehicles. These representations have been carefully considered, particularly the financial challenges faced by drivers and proprietors when investing in replacement vehicles and seeking to secure a reasonable return on that investment. However, while the requests received in respect of vehicle age and emissions are acknowledged, it remains important that the Policy continues to support a progressive reduction in the adverse impact of vehicle emissions on the environment and on the health and wellbeing of our communities.

4. Summary of Main Proposals

4.1. The main proposal is to endorse the revised Hackney Carriage and Private Hire Licensing Policy 2027 to 2031, subject to any modifications agreed by the Committee, and to recommend that it progresses to Cabinet for final consideration, adoption and implementation. The Policy has been reviewed to ensure it reflects current legislation, Department for Transport guidance, operational experience and feedback received through informal and formal consultation with the licensed trade.

The revised policy;

4.2. Maintains a clear, transparent and up-to-date licensing framework to support consistent decision-making, proportionate enforcement and legal compliance when determining driver, vehicle and operator licences.

4.3. Strengthens safeguarding and public protection arrangements by retaining robust 'fit and proper person' criteria, enhanced checks, information sharing requirements and the use of national databases relating to refusals, suspensions and revocations.

4.4. Incorporates relevant statutory and best practice guidance, including the Department for Transport's Statutory Taxi and Private Hire Vehicle Standards, best practice guidance and requirements arising from the Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022.

4.5. Recognises the additional duties placed on drivers, operators and the Council under the Equality Act 2010, including the need to support passengers with disabilities, maintain designated wheelchair accessible vehicle arrangements and operate appropriate medical exemption processes.

4.6. Continues to support improvements in air quality and environmental outcomes through proportionate vehicle age and emissions standards, while recognising market availability, financial pressures and the specific challenges associated with wheelchair accessible vehicles.

4.7. Provides a policy basis that reduces the risk of inconsistent decisions, successful legal challenge, reputational harm and weakened safeguarding oversight after the current policy expires on 31 March 2027.

4.8 Considers the consultation responses received on CCTV, contactless payments, vehicle age and emissions standards, and balancing trade feedback with public safety, accessibility, affordability, environmental and community wellbeing considerations.

5. Alternative Options

5.1 The Committee could propose further amendments before the policy progresses or could decide not to endorse the policy. Further amendments would need to be assessed for legal compliance, public safety, equality, health and well-being, environmental and financial impacts. Not replacing the current policy would create uncertainty when it expires and would weaken the Council's ability to demonstrate current, transparent and consistent licensing standards.

5.2 The absence of a clear and legally robust policy framework, or any uncertainty about the Council's ability to rely on the Policy, may also limit the Council's ability to enforce licence conditions effectively. This could undermine the Council's capacity to secure compliance by drivers, vehicle proprietors and operators, weaken its ability to take timely and proportionate action where concerns arise, and consequently reduce the effectiveness of the licensing regime in safeguarding passengers, vulnerable people and the wider public.

6. Key risks and Opportunities

6.1. If the Council fails to prepare and publish such a policy the Council will be open to criticism; in particular from those parties whom the Council seeks to licence. Without a policy, officers and Members will find it extremely difficult to make appropriate and consistent licensing decisions and to take proportionate enforcement action. As a consequence, the Council will face significant difficulty in justifying the way it has reached licensing decisions and taken enforcement action.

6.2. This will result in the Council failing to adequately deliver its safeguarding responsibilities and would reduce its ability to directly, and in partnership with other agencies, tackle child sexual exploitation. Furthermore, the Council's ability to control overall compliance of the hackney carriage and private hire trade will be hampered and there is the increased risk of:

- successful appeals by applicants who have had their licences suspended or revoked;
- service complaints to the Local Government Ombudsman;
- judicial review; and
- legal challenge to any criminal proceedings instituted by the Council.

The reputation and professionalism of the Council would clearly be at risk.

6.3. Conversely, by preparing and publishing a policy, the Council demonstrates that it takes its hackney carriage and private hire licensing role seriously. It creates transparency for all stakeholders, recording the manner in which the Council intends to undertake its hackney carriage and private hire licensing responsibilities. Furthermore, it provides the Council with a basis for a robust defence to any challenges that may be encountered in respect of decisions made and enforcement action taken. It also demonstrates commitment to and compliance with the Regulators' Code.

6.4. The proposed policy is consistent with national guidance on hackney carriage and private hire licensing and is deemed to be best practice.

6.5. Whilst there is no legal duty specifically placed on the Council to consult with respect to this policy, it is good practice to do so and is in line with the Department for Transport's (DfT) 'Taxi and Private Hire Vehicle Licensing: Best Practice Guidance' (November 2023).

Risk	Mitigation	Link to Strategic Risk
Inconsistent or legally vulnerable licensing decisions if the policy is not updated.	Adopt clear, current criteria supported by legislation, guidance, training and documented decision-making.	Legal, governance and reputational risk.
Safeguarding or public-safety harm caused by unsuitable licence holders.	Apply robust fit-and-proper tests, enhanced checks, information sharing and proportionate enforcement	Safeguarding and community safety.
Financial or operational pressure on the licensed trade arising from revised standards.	Use consultation evidence, proportionate implementation periods and clear guidance.	Economic and service-delivery risk.
Failure to meet accessibility duties or the needs of passengers with disabilities.	Retain statutory accessibility requirements, designated vehicle arrangements and exemption processes	Equality and legal risk.
Opportunity to improve air quality and encourage cleaner vehicles.	Maintain proportionate emissions and vehicle standards, taking account of market availability and wheelchair-accessible vehicle constraints.	Climate and public-health priorities.

7. Council Priorities

7.1. The proposed Hackney Carriage and Private Hire Licensing Policy 2027 to 2031 supports the Shropshire Council Corporate Plan 2026 to 2030 by contributing to the Council's overall aims of improving outcomes for people, communities, the local economy and the environment. In particular, the policy supports safer and healthier communities by strengthening safeguarding, public protection and road-safety standards; promotes equality, accessibility and social inclusion through

duties relating to passengers with disabilities and wheelchair accessible vehicles; supports a fair and sustainable local economy by providing a clear, proportionate and transparent regulatory framework for the licensed trade; and contributes to environmental objectives by encouraging improvements in vehicle emissions and air quality.

7.2. The policy is therefore aligned to the Corporate Plan priorities as follows: healthy people, by safeguarding children, young people, adults with care and support needs and other vulnerable passengers; healthy communities, by supporting safe, accessible and reliable local transport services across Shropshire; a healthy economy, by giving licence holders, applicants and operators a consistent framework within which to operate and plan; and a healthy environment, by maintaining proportionate standards that support cleaner vehicles and reduced emissions while recognising the practical and financial pressures affecting the trade.

8. Financial Implications

8.1. The financial implications associated with the recommendation are limited to the employee costs associated with undertaking the consultation exercise and any costs of publishing the revised Hackney Carriage and Private Hire Licensing Policy. These costs are recovered through the licensing fees.

9. Legal and HR implications

9.1. The Council must discharge its hackney carriage and private hire licensing functions in accordance with the Town Police Clauses Act 1847, the Local Government (Miscellaneous Provisions) Act 1976, the Equality Act 2010, the Human Rights Act 1998, the Regulators' Code and other relevant legislation and guidance. A clear policy assists lawful, consistent and proportionate decisions while allowing each case to be considered on its merits.

10. Electoral Division Implications

10.1. This policy has countywide application and does not give rise to implications limited to a particular electoral division.

11. Health, Social (including "Child Friendly Shropshire") and Economic Implications

11.1. The Policy specifically takes account of the Council's safeguarding responsibilities, particularly in relation to children and adults (including those with care and support needs). The Policy significantly increases the criteria that must be satisfied before a person will be deemed a 'fit and proper person' to drive a hackney carriage or private hire vehicle.

11.2. Through agencies working together and sharing information, we aim to identify and prevent sexual exploitation, modern slavery and human trafficking to protect children, young people and adults (including those with care and support needs)

and disrupt related activities in order to take action under relevant licensing legislation and, where appropriate, to prosecute perpetrators of abuse.

11.3. The criteria continue to be set against the findings of the Independent Enquiry into Child Sexual Exploitation in Rotherham, Oldham and Newcastle-upon-Tyne, the Independent Inquiry into Telford Child Sexual Exploitation, National Audit on Group-Based Child Sexual Exploitation and Abuse, and the Southport Public Inquiry, and considers the wider implications of modern slavery, trafficking and exploitation.

11.4. The Department for Transport (DfT) developed the Statutory Taxi and Private Hire Vehicle Standards[1]. The standards introduced a set of core minimum standards to improve regulation of the taxi and private hire vehicle sector. The revised policy includes the requirements as set out in the standards.

11.5. The Policy significantly increases the criteria that must be satisfied before a person will be deemed a 'fit and proper person'. Drivers of hackney carriage or private hire vehicles, private hire operators and those who hold a vehicle licence as a vehicle proprietor will continue to be required to meet the robust criteria that was implemented in 2023. This criteria has been further enhanced by the inclusion of the standards which will be applied to each application.

11.6. The DfT Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022[2]. This Act and the subsequent guidance[3] are focused on supporting compliance and ensuring that checks are made with other Local Authorities regarding an applicant's previous licensing history and the requirement for Licensing Authorities to record previous refusals, suspensions and revocations on a central database. This allows additional enquiries to be made with the Local Authority about the circumstances surrounding the refusal, suspension or revocation before a determination is made on an application. The new duties came into effect on 31 May 2022 and the revised policy has incorporated the requirements.

11.7. The Equality Act 2010 (the Act) and the DFT Access for wheelchair users to Taxis and Private Hire Vehicles – Statutory Guidance published on the 20 June 2022 has put significant additional responsibilities on operators and drivers of passengers with disabilities to ensure that the passengers needs are fully supported throughout their journey. Furthermore, there are additional requirements for the Council to maintain a list of designated wheelchair accessible vehicles and to have a process for which drivers can apply for a medical exemption from the duties imposed by the Act.

12. Equality and Diversity Implications

12.1. An Equality, Social Inclusion and Health Impact Assessment (ESHIA) has been undertaken, utilising evidence already held by the service area and the results of

[1] Department for Transport, Statutory Taxi and Private Hire Vehicle Standards July 2020 Statutory & Best Practice Guidance for taxi and PHV licensing authorities (publishing.service.gov.uk)

[2] Department for Transport Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022 Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022 (legislation.gov.uk)

[3] Department for Transport Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022, Statutory Guidance Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022 - GOV.UK (www.gov.uk)

the public consultations, as well as drawing upon previous impact assessments in regard to the proposed Policy.

12.2. The Council has utilised the ESHIA in order to consider children and young people who are looked after by Shropshire Council and the families of children in need, as well as young people leaving care, when considering the Protected Characteristic grouping of 'Age', and with respect to adults with care and support needs, e.g. adults with learning disabilities, when considering the Protected Characteristic grouping of 'Disability'.

12.3. For all the nine Protected Characteristic groupings, the impact is rated as low to medium positive; notably, with respect to 'age', 'disability', and 'sex', the impact is anticipated as 'medium positive'. The impact is also rated as 'medium positive' for people for whom there are safeguarding concerns, given the greater ability of the Council to fully demonstrate that it robustly tackles exploitation, abuse, modern slavery and human trafficking of children and vulnerable adults, and the likely improvements overall to public safety under the proposed changes, bringing particular benefits for vulnerable households. As such, this relates to the additional local groupings we seek to think about in Shropshire in regard to the circumstances in which they find themselves. These are 'social inclusion', 'carers' and 'Young People Leaving Care. For our other local grouping of 'Veterans and Serving Members of the Armed Forces and their Families, for whom we seek to give due regard under armed forces legislation, the impact is considered to be low to medium positive.

12.4. Note, however, that except for 'age', 'disability', and 'sex', the impact is likely to be neutral – neither positive nor negative – with no anticipated need to take actions to mitigate or enhance the impact. The full ESHIA document can be found at **Appendix D**.

12.5. The proposed policy aims to ensure that the human rights of applicants, licence holders and the public who use hackney carriages and private hire services are protected. However, it is recognised that it is a fine balance to ensure that this is achieved for all parties involved. Nevertheless, the policy has been written to assist the Council to comply with the Human Rights Act 1998 and to avoid the risk of adverse Human Rights Act implications as a result of undertaking the hackney carriage and private hire licensing function.

13. Climate Change, Biodiversity and Environmental Implications

13.1. Nationally, there continues to be a significant drive to improve air quality and it is acknowledged that motor vehicle emissions continue to be the primary cause of poor air quality and that this impacts on human health and the environment. The Council needs to continue to promote measures that improve air quality including reducing the emissions from Hackney Carriages and Private Hire Vehicles.

13.2. Vehicle emissions affect air quality, health and the environment. The policy provides an opportunity to encourage cleaner vehicles through proportionate age and emissions standards while recognising vehicle availability, cost and the particular market constraints affecting wheelchair-accessible vehicles.

13.3. The Council now has the opportunity to continue to lead the local community and further reduce the impact that vehicle emissions have on the local environment and human health by continuing to support stringent standards that reduce emissions from Hackney Carriage and Private Hire Vehicles. The Council's Director of Public Health fully supports actions that improve air quality as air quality is an indicator in the Public Health Outcomes Framework.

13.4. Whilst recognising the importance of continuing to reduce harmful emissions from Hackney Carriage and Private Hire Vehicles and in response to requests from trade representatives to allow for an extension to the age requirements of cleaner less polluting vehicles. The proposed Policy has been amended and consideration continues to be made to ensure that the revisions to the age requirements of the Policy continues to have a positive effect of further reducing levels of air pollution.

13.5. It should be noted that on the 1 April 2021 the Council required all hackney carriage vehicles to be wheelchair accessible and due to the nature of the type of vehicles they are, there are a limited number of less polluting vehicles available. Therefore, considering feedback from the trade, limited availability and production lead times for electric wheelchair accessible vehicles a separate section of the policy has been included to allow for an extended time for proprietors to replace their vehicles.

14. Background Papers

1. Town Police Clauses Act 1847.
2. Local Government (Miscellaneous Provisions) Act 1976.
3. Equality Act 2010.
4. Human Rights Act 1998.
5. Legislative and Regulatory Reform Act 2006 and the Regulators' Code.
6. Department for Transport statutory standards and current best-practice guidance for taxi and private hire vehicle licensing authorities.
7. Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022 and associated statutory guidance.
8. National Register of Taxi Licence Revocations, Refusals and Suspensions arrangements.
9. Hackney Carriage and Private Hire Licensing Policy 2023 to 2027.
10. Shropshire Council Corporate Plan 2026 to 2030.
11. Department for Transport, Statutory Taxi and Private Hire Vehicle Standards July 2020 Statutory & Best Practice Guidance for taxi and PHV licensing authorities (publishing.service.gov.uk)
12. [1] Department for Transport Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022 Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022 (legislation.gov.uk)
13. [1] Department for Transport Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022, Statutory Guidance Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022 - GOV.UK (www.gov.uk)
14. Department for Transport's (DfT) 'Taxi and Private Hire Vehicle Licensing: Best Practice Guidance' (November 2023) Taxi and private hire vehicle licensing best practice guidance for licensing authorities in England - GOV.UK

15. Independent Enquiry into Child Sexual Exploitation in Rotherham 1997 – 2013 Independent Inquiry into Child Sexual Exploitation in Rotherham (1997 - 2013) – Rotherham Metropolitan Borough Council
16. Independent Inquiry into Telford Child Sexual Exploitation Telford & Wrekin Council | Independent Inquiry into Telford Child Sexual Exploitation (IITCSE)
17. National Audit on Group-Based Child Sexual Exploitation and Abuse child sexual exploitation and abuse
18. The Southport Public Inquiry The Southport Inquiry: Phase 1 report - GOV.UK
19. Joint Serious Case Review Concerning Sexual Exploitation of Children and Adults with Needs for Care and Support in Newcastle-upon-Tyne Final JSCR Report 160218 PW.PDF
20. Independent Review into Historic Child Sexual Exploitation – Oldham Read the Independent Review into Historic Child Sexual Exploitation | Read the Independent Review into Historic Child Sexual Exploitation | Oldham Council

15. Appendices

Appendix A – Consultation Responses
Appendix B – Officer Analysis of Consultation Responses
Appendix C – Proposed Hackney Carriage and Private Hire Licensing Policy 2027 to 2031
Appendix D – Equality, Social Inclusion and Health Impact Assessment

Appendix A

Document 1

To: Taxis Taxis@shropshire.gov.uk
Sent on: Monday, April 6, 2026 1:45:52 PM

Subject Consultation

Hi taxi team
In regards to the consultation and the additional mandates
I do NOT support the mandating of cctv cameras inside Private Hire vehicles.
I also Do Not support the mandating of card payments in private hire vehicles. My reason for opposing both is because, like myself, many of us are sole traders doing council contracts only. I do not do any other private hire work . So for those of us in this position both mandates would be an unnecessary added expense. If there was a way in which these could be mandated in a different way, which would maybe exclude those who do contract work only.
Kind regards

Document 2

Sent on: Monday, April 6, 2026 12:51:25 PM
To: Taxis <Taxis@shropshire.gov.uk>
Subject: Re: Consultation: Your chance to be involved - Review of Shropshire Council's Hackney Carriage and Private Hire Licensing Policy

Hi Kate,
Thanks for keeping me updated, No I don't support the mandating of cctv in private hire! I have been a taxi for over 30 years in Shropshire and have never felt the need for cctv.
Regards,

Document 3

Sent on: Monday, April 6, 2026 4:21:23 PM
To: Taxis <Taxis@shropshire.gov.uk>
Subject: RE: Consultation: Your chance to be involved - Review of Shropshire Council's Hackney Carriage and Private Hire Licensing Policy

Good evening,

Thank you for your email.

1)I am more than happy to provide some thoughts on your suggestions to improve your policy from 2027 to 2031.

2)I feel that all vehicles should be fitted with cameras internal and external and with tracking systems to ensure the safety for both passenger and driver.

3)I feel enabling vehicles to operate with contactless payment methods could reduce driver risks and enables customers to access transport much easier than needing to get cash out before or during journeys.

4)As an operator all our bookings are pre-paid via a secure payment link, this works well and prevents any potential risks.

Please do not hesitate to contact me if I can be of any further assistance.

Kind regards,

Document 4

Sent on: Monday, April 6, 2026 12:52:51 PM
To: Taxis <Taxis@shropshire.gov.uk>
Subject: Re: Consultation: Your chance to be involved - Review of Shropshire Council's Hackney Carriage and Private Hire Licensing Policy

Hi Kate ,
1)We would like to point out that there might be some issues with the two points you've stated as most of the drivers work with multiple companies and are drivers owners.
Kind regards,

Document 5

Sent on: Monday, April 6, 2026 7:13:40 PM
To: Taxis <Taxis@shropshire.gov.uk>
Subject: Re: Consultation: Your chance to be involved - Review of Shropshire Council's Hackney Carriage and Private Hire Licensing Policy

You would support the mandating of the installation of CCTV systems in hackney carriage and private hire vehicles. NO

You would support mandating the availability of contactless payments in hackney carriage and private hire vehicles. NO

Document 6

Sent on: Monday, April 6, 2026 1:15:40 PM
To: Taxis <Taxis@shropshire.gov.uk>
Subject: Re: Consultation: Your chance to be involved - Review of Shropshire Council's Hackney Carriage and Private Hire Licensing Policy

All looks good to me. Thank you

Document 7

Sent on: Monday, April 6, 2026 7:35:48 PM
To: Taxis <Taxis@shropshire.gov.uk>
Subject: Review of the Hackney Carriage and Private Hire Licensing Policy 2027 to 2031 - comments

Hi,

1)I am emailing regarding my comments on the above policy.

2)Regarding the CCTV I do not support this as I believe this will be more hassle than necessary as the person we will pick up won't really like the idea.

3)Regarding the contactless- We already use contact less hence don't really mind.

4)Also, one major issue which has affected many drivers and it would be best appreciated if this was sorting - It is that the Hackney Carriage (black cab) driver they park on the drop off and pick up points in the evening at the train station even though this area is not marked for them as they have the taxi rank area to park on. This is a major issue and hassle and as there is already marked places for everyone this then makes it difficult for me and other drivers.

5)I hope these issues are resolved and there is some action take on the above.

Thank you,

Document 8

Sent on: Monday, April 6, 2026 6:29:24 PM
To: Taxis <Taxis@shropshire.gov.uk>
Subject: Review of the Hackney Carriage and Private Hire Licensing Policy 2027 to 2031

Dear Sir/Madam,

1)I am writing to express my strong support for the introduction of mandatory CCTV systems in all Hackney Carriage and Private Hire Vehicles (PHV) licensed by Shropshire Council.

2)The implementation of CCTV would provide significant benefits for both public safety and driver protection. While it would help safeguard passengers, it is particularly important to highlight the current lack of support available to drivers when facing allegations. In cases of wrongful or false accusations, drivers are often left vulnerable, with limited means to defend themselves. The presence of CCTV would offer clear, objective evidence, helping to protect drivers from unjust claims and preventing unnecessary loss of income or employment while investigations are ongoing.

3)In addition to internal CCTV, I believe it would be highly beneficial for all licensed vehicles to be equipped with front and rear facing dash cameras. These would further enhance safety by providing evidence in the event of road traffic incidents, protecting both drivers and members of the public.

4)Furthermore, I support the introduction of mandatory contactless payment facilities in all licensed vehicles. This would modernise the service, improve convenience for passengers, and align with current payment expectations.

5)However, if these measures are to be made compulsory, it is essential that Shropshire Council provides appropriate support to drivers. This could take the form of financial assistance, such as grants or vouchers, to help cover the cost of purchasing and installing CCTV systems, dash cameras, and contactless payment devices. Many drivers operate as self-employed individuals, and without support, the financial burden of these upgrades could be significant.

6)Overall, these changes would enhance safety, transparency, and professionalism across the trade, benefiting drivers, passengers, and the Council alike.

7)Thank you for taking the time to consider my views.

Kind regards

Document 9

Sent on: Tuesday, April 7, 2026 9:23:41 PM
To: Taxis <Taxis@shropshire.gov.uk>
Subject:

Good evening,
I am in support of the CCTV systems and contactless payments.
Many thanks,

Document 10

Sent on: Wednesday, April 8, 2026 7:26:22 PM
To: Taxis <Taxis@shropshire.gov.uk>
Subject: Re: Consultation: Your chance to be involved - Review of Shropshire Council's Hackney Carriage and Private Hire Licensing Policy

Good Evening

Thank you for sending the proposed policy through.

In Regards to the two mandating of cards payments and CCTV in vehicles;

1)I agree that mandating card payments in all vehicles. This will protect the vulnerable and help drivers out. However special consideration must be given to rural operators such as myself. Most card machines work on 4G network and while we are mostly covered there have been instances where signal drops out and card payments are not possible. As long as this does not go against us then I am all for it

2)I do not agree with the idea on mandatory CCTV due to the cost of putting in such equipment. Times are already really hard, especially with fuel being at the price it is currently and having a large expense (I suspect an approved system could cost £1000's to do. I do understand the reasoning behind this though and if there is financial support provided then I would be happy to install a system in our cars. I would also ask for a generous deadline in putting these into the vehicles (maybe 12-18 months after the next policy is published to allow for the change)

.
Other notes;
3)On a note about the Deregulation act of 2015 and the cross-bordering issues that many councils have had, I would like to see Shropshire council have powers (like Telford and wrekin) to enforce Wolverhampton plated and other authorities to ensure that all drivers are following licensing rules. Since Uber now has a license with Shropshire cross bordering will become the new normal and therefore as an operator/driver I would like the confidence that any complaints made to Shropshire about other authority drivers are dealt with. In the last few weeks alone, I have witnessed private hire vehicles in taxi ranks, expired license plates, drivers smoking in vehicles (Unfortunately all Wolverhampton played.) Also to mention the standard of drivers are nowhere near the quality expected of a Shropshire badged driver and I do feel that does pose a risk to customers who will now have choice of different council plated vehicles. Many don't even speak English (A comment I hear all the time)

Document 11

Sent on: Thursday, April 16, 2026 12:57:36 PM
To: Taxis <Taxis@shropshire.gov.uk>
Subject: New licensing policy 27-31

Good afternoon

1)I would just like to add a few views I have on any new additions to the New Licensing policy for 27-31. I am personally on total agreement that contactless payments should be available in every Private Hire and Hackney Carriage vehicle.

2)I am also in favour of CCTV in every vehicle to protect the Passengers but also the Driver in all situations. I must also add that as a sole Driver it's very difficult to get companies to install CCTV in individual vehicles and I would fully support Licensing if there would be available companies on the framework that would undertake this to make the process easier.

3)The only other implementation I recommend , due to the increasing cost of buying a second hand vehicle , my opinion is to ease the initial burden on Drivers by increasing the age of Diesel vehicles for a New Private Hire Applications from 6 years to 10years and to increase the age of use to 12years to come in line with petrol vehicles but I do realise the importance of the environment and I feel as long as they are a Euro 6 emission it should be ok.

4)I hope my thoughts and opinions are taken into account.

Thankyou
Kind Regards

Document 12

Sent on: Wednesday, April 22, 2026 9:00:19 PM
To: Taxis <Taxis@shropshire.gov.uk>
Subject: Re: Consultation: Your chance to be involved - Review of Shropshire Council's Hackney Carriage and Private Hire Licensing Policy

Dear Kate

Re the 2 proposed policy changes.

1)You would support the mandating of the installation of CCTV systems in hackney carriage and private hire vehicles.
Reply to the above

2)I feel that internal, or external CCTV should be installed on a voluntary basis, and not compulsory, I have been a Taxi driver for almost 40 years, and I cannot think of a situation where CCTV would have been beneficial.

3)You would support mandating the availability of contactless payments in hackney carriage and private hire vehicles.

4)I would support making it compulsory to have a method of taking card payments in taxis or private hire vehicles, these days the cost of payment machines are inexpensive compared to years ago, also the cost of processing payments is very low, and the general public expect to be able to have the choice cash or card.

5)It has been known for drivers that do not have a card machine, to refuse a customer especially if it's a short journey,

Please do not publish my name.

Thanks

Kind regards

Document 13

Sent on: Wednesday, May 13, 2026 12:31:01 PM
To: Taxis <Taxis@shropshire.gov.uk>
Subject: Re: INVITATION: Taxi/Private Hire Forum - Shropshire Council's Hackney Carriage and Private Hire Licensing Policy

Hi Kate,

1) Thank you for the invitation to provide feedback on the proposed Hackney Carriage and Private Hire Licensing Policy for 2027-2031.

2)As a chauffeur operator based in Shropshire specialising in executive and corporate travel, I would like to formally submit two specific points for consideration within the new policy. I believe these points are vital to maintaining the viability of the executive hire sector within the county.

3)1. **CCTV Mandates and Passenger Privacy**
While we fully support the Council's priority of "protecting people from harm," we have significant concerns regarding any potential mandate for CCTV within vehicles used exclusively for chauffeur and executive work.

4)**Client Confidentiality**: Our business serves high-net-worth individuals, celebrities, and corporate executives. These clients often use their travel time to conduct sensitive business meetings or private phone calls. The presence of recording equipment is viewed as a breach of that professional privacy.

5)**Market Competitive Advantage**: Many of our corporate contracts specifically require a "sterile" and private environment. A mandatory CCTV policy would likely lead to these clients seeking services from operators licensed in authorities that offer exemptions, putting our business at a disadvantage.

6)**Risk Profile**: Unlike "standard" private hire or Hackney carriages, our bookings are pre-planned, often weeks in advance, with full digital audit trails of both driver and passenger. The risk profile is significantly lower than that of "rank and hail" or high-volume local circuits.

7)**Request**: We propose that the policy includes a specific exemption from CCTV requirements for vehicles used exclusively for executive/chauffeur hire.

8)2. **Mandatory card payments**

9)We do not have an issue with card payments; however, we feel that the mobile signal required for the devices within the vehicles can be intermittent or non-existent, particularly in the more rural areas of Shropshire.

10)We look forward to hearing the outcome of the review.

11)I have noted the forum on Friday 29th May and unfortunately due to work commitments will not be able to attend.
Yours sincerely,

Document 14

Sent: 28 May 2026 20:12
To: @shropshire.gov.uk>
Subject: Taxi furam

1) Hi John hope you are well, if you are chairing the taxi forum tomorrow as I may not get there as Fridays are busy for me, I would like to point out a couple of things as a small four car operator in Church Stretton,

2) One is that if it wasn't for our contract work we wouldn't be in business as we are lucky if we get one call a week since the ring and Ride started, so I would like to keep the vehicle schedule that is in the policy as three of our cars only work two hours in a morning and same in the afternoon on the school runs.

3)Two is that now I have passed the grand old age of 65 i have to have a medical every year, I went to Drivers 4 you as our doctors don't do them anymore, there were hgv drivers with a six page A4 form to fill in that the doctor did in the twenty minutes that he allocated each driver, have a look at ours on the web site thirty eight pages, the doctor said that a lot of it was repeated questions, it took an hour so then he keep having calls as was two people late, I feel it seriously needs looking into please.

Anyway thanks for this and hopefully I do make it so if I do I'll see you there.

Many Thanks

Document 15

Dear Head of Licencing,

TO WHO IT MAY CONCERN

1)We were hoping that we do not have to write this letter to report on current drivers' behaviour in relation to their movement from one Private Hire Operator to the other or in some cases working with multiple operators at the same time. I am sure you are aware of this. We have been trying to recruit, train and retain drivers since we opened our office at The XX in 2022. However, this has been extremely difficult due to drivers' behaviour owing to the availability of Private Hire Drivers' apps. This proliferation of taxi drivers' apps enables a taxi driver to sign up to work with multiple firms on any given day at the same time.

2)As a consequence of this behaviour, we are having difficulty in complying with two of the conditions of our Operator Licence. Firstly, the informing and reporting on drivers' movement, when they sign up to work with us or when they leave. In our experience, the way the policy is written, our duty to inform your department within seven days of a driver starting or seven days after they have left, in its current form is unworkable for small operators. Second, staffing issues.

3)The main purpose of this letter, therefore, is for you to understand how all these affect small operator licence holders like us, and to kindly ask you for your advice and support as to how we should handle this. We would also like to kindly ask that you keep a note of this letter, as a formal notification, on the record you hold about us for the following reasons:

The main problem

4)The main problem with some drivers these days is the fact that they work for multiple operators on a given shift. They would come to work on a given day and log on via their driver's apps and pick up work from whichever firm is the busiest.

5)They would say to us, 'take work, and we will come to work with you' without any guarantee they would turn up when they are needed. If we take the work as they had asked us to and it turned out that, on that day, another firm whose driver app they have is busier than we are, we won't see that particular driver.

6)The drivers are not just highly mobile between firms; they also choose the jobs they want to do whenever we offered them a job. Some would say they just want to do airports work or city jobs, others would say they just want to do school runs. What about providing a service to the general public locally? This behaviour is not only disruptive for small operators but unprofessional, irresponsible and unacceptable.
After they have done the job(s), they chose to do. They would either log-off and disappear or stayed logged on but refused to accept jobs with the exceptions of the type of jobs they want to do. When this happens, they won't be going home for the day, they would be working with another taxi firm or operator.

7)These drivers have agency, and they want to keep it and so they should. We would respect, support and defend their position. However, where a driver expresses their interest in working with us; and after all the numerous phone calls, text messages and forms filling, they would do a week, if that, and disappear for one or two weeks or even

longer without any explanation. The most annoying thing with this is the fact that we see them driving around doing work for other operators on the day they are supposed to be working with us. They leave us to pick up the mess they have created without any care or remorse, all this because small operators like us doesn't matter to most of them. As far as they're concerned, we are a small fish in a big pond, and we would be swallowed. Our dilemma is that, at what stage do we inform your department that we have a new driver working with us, when we are not certain that the driver would stay and are committed to just working with us?

8)This is what is happening right now! Let say a driver joins us, we inform you of it, and after working for a week or so he/she disappears for 2 or 3 week. The question then becomes. Has the driver left and left for good and not coming back or are they just working for another firm, and they would return at a late date? This is an open question for which there is no answer. And now, let say after the second or third week after, on the presumption that the driver has left, we inform you that the said driver has left, the same driver returns on the fourth week. What do we do? Inform you again? We are, currently, under a duty to inform you again about the same driver. How many times should we have to do this? It would be going round in circles, over and over again. Won't it? And this, not to mention the paperwork it generates. It is time consuming, and we haven't got the manpower to do it. We would rather spend our valuable time running our business and leave the reporting and informing you, to the drivers themselves as they and only they know where they are working. Given all this, shouldn't the duty to report and inform be the sole responsibility of the driver alone and NOT the operator and driver as it is currently the case?

Health & Safety

9)Now, this is the part that really scares us as a Private Hire Operator licence holders. There is a high risk of driver fatigue, tiredness or burnout as most drivers very often work for several operators at the same time on the same shift or day. If we asked a driver and offered a job, say going to an airport or a job that would involve driving a distance, and they accepted it. The first question we would like an answer to is how long they have been driving on that shift. We won't get any clear or accurate answer to such a question to make an informed decision, because they just look at the money. Very often the answer you most likely to get is, 'It's okay or I'm fine'. Some drivers are not honest with us and would not be. They will do the calculation that if they are truthful, we will give the job to another driver. Which would probably be the case, if they have been on shift for a long time. In such situation, it is the responsible thing to do as an Operator. I'm sure you would agree! If this happens, next time the driver would hide the truth and lie. This is dangerous not only to themselves but the customer(s) and other road users. Where is public protection and God forbids should anything happens. Who would be responsible? The driver or the operator?

10)A typical example of this occurred last year. A driver approached me looking for just airports or city centres work. When I asked how come he is coming to us for work. He said, 'well, the people he was working with at the time is not giving him the work', 'It has either dried up or some other drivers are getting all the work for some reason'.

11)Then I asked. How many long distance work you used to do? He said, 'I used to do between 5-6 or more airports a week and sometimes 3 airports a day back-to-back'. I thought, you can't be serious? Really? When do you have a rest? I wondered! It left me scratching my head.

12)There is no way of knowing how long a particular driver who have accepted a job from us have been working for, prior to accepting our offer of a job. Asking the other operator they have been working with is out of the question. How do we risk assess? Have they been working 8hrs, 10hrs or even longer prior? Are they actually safe to driver when they accepted the job? Again, these questions are difficult to answer or impossible to know the answers. The only time we would be able to keep a tab on drivers' hours and risk assess properly, is if they would start their shift with us and finish their shift with us. We do not mind whether they work with us one day a week or 2 - 3 days a week or even once or twice a fortnight. This I am afraid to say is beyond our control as they have agency and are freelancers. Drivers jumping from one operator to the other on a daily basis.

13)Why should we take work for a driver based on false promise or uncertainty? We refused to do it and would not do it until the current climate on drivers' behaviour changes. We would book what the two of us are able to cover, like we have always done. We will rather take what we are able to cover and keep our good reputation than chase drivers.

Recruitment, Training and Retention

14)There is no such thing as Recruitment, Training and Retention(RTR) when it comes to taxi drivers in this current climate. Thanks to Drivers' Apps. Most of the drivers we came across and are coming across do not bother with paperwork, no matter in what format you send them the document(s). They do not read emails, text messages or even hard copies. Some do not even bother to acknowledge receipt of documents when we sent them.

15)Having worked in the 3rd sector as a volunteer for over 20 years, I am very well aware that some people have problems dealing with paperwork. This is either because they cannot read or write, find it complicated or just overwhelming in general, especially when dealing with official papers or documents. We have asked those drivers to come and see us, we would help with the paperwork, but none has taken up our offer to help. It left us thinking. Does it really worth trying to help?

16)In fact, some of the drivers do not like us, because we make too much fuss about paperwork, apparently. Excuse me! If their paperwork is not right. How are we supposed/meant to work with them? We are aware how important paperwork is, not just for us the operator(s) but for you at licensing as well. If there is no paperwork, tracing and checking would be near impossible and, accountability goes through the window. Right?

Other Document

17)You had asked us to prepare and produce two documents, one of which is a document titled, a Driver Training Record (DTR) to monitor their training and development and the second document is a policy document on Equality, Diversity and Inclusion (EDI). These documents have been in place since 2022, but it makes one wonder whether the drivers take these documents seriously given their attitude to anything written when it comes to their career or job. Some of the driver don't even take the Safeguarding training you provide seriously. I have heard some of them swearing and cursing about going on a Safeguarding course. How it was a pointless exercise and waste of their time. Really? The only reason they would say they went on the training or had to go, is if they do not do the training they would lose their badge.

18)The few drivers that have sent us paperwork in the past, sent us paperwork or documents that we were unable to use. They took photos on their phones with every conceivable background one could think of, without any care, and text them over and expect us to accept them, even though they are unusable. Some would send us a document and half the page is cut out, others are blurred and very difficult to make out what they are.

19)We have to chase them for their paperwork. I have met driver in car parks, in filling stations, some of them I had to go to their houses to collect their paperwork, and some had kept me waiting for hours on end. We do not need to do this. Surely! They play on the fact that if you are chasing them around, you are desperate. Well, we are not that desperate for drivers we just like things done properly and to comply with the rules and regulations. Yes, of course. We would like to have more drivers in order for the business to be viable and to provide an alternative taxi service for the local community. But, given the years and the time we have spent to build a good reputation, we are not prepared to exchange our good reputation for incompetence, given the current attitude of some of the drivers.

Contract Document

20)Before setting up XX Private Hire, after we stopped working with the big firms, because we felt that they were not providing a good service, my wife and I sat and thought it through drawing from our years of experience in the trade. We asked ourselves all the obvious questions and sought the answers. If we could not get an answer to a particular question, we dropped it. We asked ourselves questions like: Are we able to turn up on time? Are we able to say no when we cannot cover a booking? Are we capable of treating all the customers the same without discrimination? Are we able to inform the customer when we are running late and give reason, without telling them pack of lies? Are we able to pace ourselves without over-booking and only take what we can cover? Etc, etc…

21)And guess what? It worked and it is still working. Our reputation is good because we do what we say and say what we do. Our customers would attest to this fact. Not a single complaint from customers either because of lateness or bad behaviour since 2016.

22)Drawing from our combined experience in the trade and having worked for 3rd sector organisations personally for nearly 20 years, we drew up a contract for drivers, personal assistants and office staff, bearing in mind neither my partner nor I is legally trained.

23)The contract is concise, easy to understand, without legal jargons and covers all aspect relating to the trade, such as driver behaviour towards customers, paperwork, licensing, Health & Safety, Data Protection, vehicle sharing and maintenance, transporting vulnerable people and children, emergency procedures, drugs misuse and how complaints would be handled.

24)Needless to say, because of their attitude to paperwork and the agency they possessed, the first drivers we gave the contract to, without even reading it, rejected it outright. The one said, ‘you are kidding?’. I replied no kidding! We shook hands and we parted. He said, ‘good luck with that one, no driver in their right mind would sign a contract to drive a taxi these days’.

25)The other driver who read it and sought advice, said that they have been advised not to sign it because it’s not in their favour. I said, ‘okay, not a problem and that regardless

whether you sign it or not, we would only take drivers on if they are willing to subscribe to our standard of service'. And so, we parted.

26)Now we have a decision to make. Should we insist on drivers signing up to our standard of service by asking them to sign the contract, and risk not having drivers to work with us at all, or should we just accept the fact that no driver would sign a contract?

27)As a consequence, we have concluded that there is no point offering the contract to any driver and so, we have stopped offering it. Nevertheless, be rest assured that we will continue to provide the service based on the principles, code of conducts and terms and conditions within the contract and our level and standard of service will remain the same and will not be affected by a single iota. We will inform any prospective driver either verbally, about the contents in the contract, or give them a copy of the contract with the section requiring their signature redacted.

Hackney Carriages

28)The other aspect of the policy we would like to clarify is our relationship with Hackney Carriage driver should a Hackney driver wants to work with us on a part-time basis or full time.

29)Retaining paperwork - Hackney Carriage drivers are traditionally independent, a one-man band, and self-employed. What is no clear is whether Private Hire Operator licence holders have to obtain, retain and maintain the same paperwork for Hackney drivers as we do for Private Hire drivers. We need clarification on this, please. Are we wrong in thinking and treating Hackney drivers as independent operators?

30)Private Hire fares or Hackney Carriage fares on the meter - Private Hire fares are predetermined and agreed with the customer in some case when making the bookings prior to dispatching a vehicle on the day or at a later date. Again, what is not clear here are the rules in terms of the pricing structure when a customer makes a booking and a Hackney Carriage vehicle is dispatched. Bearing in mind that on the day the booking was made, the Operator or the call handler has no control or idea of the type of vehicle(s) they would have available on the day in question and the cost of the ride had already been agreed. Is the driver in a Hackney vehicle meant to put the meter on and charge the customer what is on the meter at the end of the journey, when dispatched by a Private Hire operator? Where this should be the case. It won't work and we need clarification and guidance on this issue.

31)Driving a Hackney independently - Ever wondered why people who live in rural areas are unable to book a Wheelchair Accessible Vehicle (WAV) when they need it? Well, here is why. Let assume you live in Much Wenlock, and you use a wheelchair to get around and you want to travel to Bridgnorth. The rules as they currently are required the driver to put the meter on when he/she arrives at the pickup point in Much Wenlock. Drives the service user to Bridgnorth and collect the fare as displayed on the meter. Right? Here is the problem as we see it. What about the dead miles from Shrewsbury where the vehicle is based to the pickup point in Much Wenlock? Who pays for those dead miles? If not the customer, then the driver would just have to swallow it and tough! No Hackney driver in their right mind will take that booking on.

Office Staff

32)The other compliance requirement that we are not able to comply with currently is to have a staff in the office, during our work hours, when we have three or more vehicles on the road, on a regular basis as you will see. As a small operator, we are always hovering between an amber and a red zone when it comes to the availability of drivers. Think of it like a traffic light system where the availability and supply of drivers are represented by green, amber and red. The red zone is when you have bookings and you could not cover them either because a driver did not turn in on the day or you have a vehicle out of action for a number of reasons, the amber zone is when you have bookings and you are holding your breath, hoping and praying that you have all the drivers you need for the shift and no driver would be dropping out at the last minute. The green zone is self-explanatory.

33)With the current climate with regards to Employment Laws, Minimum Wage, NI Contribution and Pensions Contributions and the fact that one is not certain whether the staff they are taking would be the right candidate, we rather not risk it. We will do it ourselves.

34)As we haven't got any office staff because we found it unaffordable, the running of the office is solely down to me and me alone. This involves answering calls and taking booking, dispatching and organising drivers, responding to emails and bookkeeping and all the other gambits involved in running a functional office. God only know what would happen to the business should anything happens with me. My wife won't be able to cope regardless of her own personal issues. She is autistic. We intend to keep the business until, at least, our little girl who is 11yrs old finishes university.

35)As a consequence, given the points raised above, we would kindly ask that you allow us to work remotely if not sometimes but most of the times for the following additional reasons:

Parking, Public Access and Personal Issues.

36)Our office is based at Coton Hill on the bank of the river Severn and there are no parking facilities for us. We have three parking spaces at Silkmoor car park, Frankwell. However, this causes an issue for us in particular should we need to leave the office to cover a booking in an emergency. It means running to get to the car park, in Frankwell, to get a vehicle and this is not to mention about the traffic in the town.

37)There is no public access for the general public, the office is mainly for answering call, taking bookings and the routine paperwork required to run the office. All of these can be done remotely.

38)My wife is Autistic and suffers from Phobia and Anxiety. She finds it difficult to cope with everyday simple thing, meeting people but especially people who she is not familiar with. She finds a change of routine difficult to cope with. Hence, she has to plan everything in advance right down to every meal. If anything changes unexpectedly, it will throw her out of kilter for the rest of the day.
Therefore, we would kindly ask that we are allowed to have a satellite office in conjunction with our main office with NO further cost at all or with a MINIMAL cost. This would enable us to run our services with minimal interruption and be able to compete properly.

Staffing Issues - No Public Access

39)Although the office is open to the public via phone calls or emails, there is no public access for our service users. Hence, we do not see the need for someone to be in the office when phone calls and emails can be answered and dealt with remotely. All my meeting with drivers are held outside the office because the industry is not like it used to be. They expect me to meet them wherever they want to meet, in their own time and at their own comfort. Why? Because they feel like they hold all the keys. For small Operators like us we have no choice but to sometimes bend to their wills and demands. God help you if you fall out with the nasty and vindictive ones, not to mention when your path crosses with a nasty and vindictive individual be they a customer or otherwise.

Personal Safety, Culture Wars and Malicious Complaints

40)When my wife found out that the taxi company was registered at our home address with Company House, she was livid. This was because a Google search would bring up our home address. She was worried that if we are to fell out with a customer, all the person has to do to find us is to do a Google search to get our home address. Hence the reason why we had to get an office space and changed the address at Company House. Whether this would make any difference is uncertain as we are still traceable on Google at our home address. Nevertheless, we have to be careful and try our best to avoid falling out with people whether service users or not. A simple complaint to anyone at Licencing would put our livelihood at risk and I sometimes wonder what the phrase “a fit and proper person” actually means. This brings me to Culture Wars.

41)In this current social and political climate, it is harsh out there with the rise of Far-Right organisations and Populist Leaders, Homophobia, Islamophobia, Anti-Zionist and attacks on the Jews and not to mention your race, religion, sexual orientation, ethnicity and or one’s background or culture. Majority of the British people I found are decent, understanding and accommodating regardless of your background or place of birth, with the understanding that the available space for us humans is finite and we should all share it and live together in harmony whilst accepting and celebrating our differences. This is what makes the British culture rich and vibrant. Isn’t it?

42)The minority are so full of hate for anything different that their hatred is palpable. These are the ones that I am scared and worried about because they are hell bent in destroying the lives of people, they deemed unwanted because as they see it, we are taking their jobs. And yet they don’t do anything to improve or advance their situation. I am not sure however, whether this is due to their ignorance, stupidity or lack of history knowledge. These are the sort of people who will make false allegations and unfounded complaints without any evidence to back it up simply because you have fallen out with them or because you stood your grounds and refused to accept their attitude. The first thing that comes out of their mouth is, “I will report you to the Council and your badge will be taken off you” because we happen to hold a taxi badge or Operator licence. Talking to other Operators and drivers, I don’t understand why you entertain this nonsense. Every little infraction with the general public as a taxi driver or Operator risk losing their licence even though most of the times, they have been wrong but are unable to do anything about it for fear of losing their livelihood. Sometimes we feel we can’t breathe even though we are outside. Some disgruntled taxi drivers who had fallen out with an Operator behave exactly the same. This must stop unless the complainant is able to back up their complaint with credible evidence and is prepared to go to court to defend their position. Everyone of us has the right to protect their personal space, their livelihood and safeguard their safety and that of their nearest and dearest - family.

43)MISC Issues There are other things that I haven't touched on in this letter, things like the following which would be for another day and discussions:
44)• Multi Badging of Drivers - Drivers have two or sometimes three taxi badges from different local authorities. Why?
45)• Out of County Vehicles - Drivers plating their vehicles and obtaining badges from other local authorities and driving in Shrewsbury even though they do not live in Shrewsbury or Shropshire for that matter.
46)• Vehicles Age Limit - Out of county vehicles that are over 10yrs or sometimes 15yrs old whilst we have to comply with a strict age limit even though the vehicle we are asked to replace is well maintained and passes MOT and fit for the road use.

47)I sincerely hope you would take all the points raised in this letter when you are formulating the New Taxi/Private Hire policy for 2027/31

Document 16

Sent on: Monday, June 22, 2026 12:32:30 PM
To: Taxis <Taxis@shropshire.gov.uk>
Subject:

1)consultation on 27 onwards. I intend to finish trading in 2027 as there is little profit tobe made anymore. fuel prices have been extorcinate to say the least and with operating costs spiralling out of control it seems pointless trying to run a private hire company. I have to pay the same costs to you as a company who run 30 cars and this really isn't fair as i have a single vehicle. Prices need tobe frozen especially for the smaller 1 and 2 car operators, if not reduced to help us survive.

2)Also the safe guarding course is right and appropriate but once it has been done and passed there is little point in redoing the same course every 3 years. It needs updating and including in the costs. Many thanks.

Document 17

To: Taxis <Taxis@shropshire.gov.uk>

Subject: Re: CONSULTATION: Your chance to be involved - Review of Shropshire Council's Hackney Carriage and Private Hire Licensing Policy

1)Driving hours need to be monitored '
Some drivers doing 16 hours which becomes dangerous as tiredness.

2)Hackney carriage vehicle age limit proposal
14 years as a vehicle cost in the range £25000
£90,000

3)Shropshire plates vehicle only
Cross border hire i.e Wolverhampton plates to stop
Safeguarding a big problem with our of area plates.

4)Hackney carriage metre to increase due to cost of living.

Kind regards

Document 18

Sent on: Monday, June 22, 2026 10:59:46 AM
To: Taxis <Taxis@shropshire.gov.uk>
Subject: Re consultation

Dear Ms Roberts,
1)Thank you for your email.
I welcome the opportunity to participate in the consultation and appreciate the Council seeking feedback from licensed drivers.
Given the current cost of living crisis, many drivers are facing significant increases in everyday expenses as well as higher operating and licensing costs. However, taxi fares have remained the same for a considerable period, making it increasingly difficult for drivers to maintain a sustainable income. I respectfully ask the Council to take these financial pressures into account and consider a fare review that reflects the rising cost of living and the realities faced by licensed drivers.
Yours sincerely,

Document 19

Sent on: Monday, June 22, 2026 11:31:35 AM
To: Taxis <Taxis@shropshire.gov.uk>
Subject: Re: CONSULTATION: Your chance to be involved - Review of Shropshire Council's Hackney Carriage and Private Hire Licensing Policy

Received and understood.

Hello,
1)Thank you very much for the update. I completely agree with the introduction of CCTV on board, as well as a contactless payment system. Both of these measures are extremely important for improving safety and making payments easier and more convenient for customers.
2)I would also like to raise another issue for consideration. We have a large number of taxi drivers coming from other cities to work in Shrewsbury, which increases competition and puts pressure on local drivers when it comes to securing work. At the same time, we are not permitted to go and work in their cities under the same conditions.
Could this be something that is looked into as part of the review process?

Kind regards

Document 20

Sent on: Monday, June 22, 2026 9:23:57 AM
To: Taxis <Taxis@shropshire.gov.uk>
Subject: RE: CONSULTATION: Your chance to be involved - Review of Shropshire Council's Hackney Carriage and Private Hire Licensing Policy

Hi,
1)My main issue with the policy is the discrepancy between our private hire vehicles allowed age - only upto 10 years, and 6 years old from new and other areas licences which allow 12 to 15year old cars.
If Mot'd twice a year and inspected , in this age of green keeping things running longer to help planet resources why has Shrewsbury adopted this policy which also means we have to pay more for cars compared to other companies we are competing against in Shropshire

Thanks

Document 21

Sent on: Wednesday, June 24, 2026 9:37:48 AM
To: Taxis <Taxis@shropshire.gov.uk>
Subject: Re: CONSULTATION: Your chance to be involved - Review of Shropshire Council's Hackney Carriage and Private Hire Licensing Policy

Dear Shropshire Council,
1)Thank you very much for giving me the opportunity to provide my input and suggestions. I appreciate the important work you are doing to ensure safe and reliable taxi services for the community.

2)I would like to respectfully bring the following points to your attention:
3)**1. Child Safety During School Pick-Ups**
When a driver collects a child from school, I believe the child should be handed directly to a responsible adult at the destination. To improve safety and accountability, the adult receiving the child could provide a passcode to the driver before the journey is marked as complete. This would help ensure that children are safely delivered to the correct person.
4)**2. Appearance of Private Hire Vehicles**
I would also like to share my concerns regarding the appearance requirements for licensed private hire vehicles.

5)The rear licence plate and large door stickers currently required are, in my opinion, not visually appealing and can significantly affect the appearance of a vehicle. A slimmer rear plate, similar to the system used by Wolverhampton Council, would be a more attractive option.
6)In addition, I do not believe large door stickers are necessary for private hire vehicles.
7)Many other licensing authorities, including London, do not require such prominent markings on private hire vehicles.
8)My vehicle is a personal family car which I have always taken pride in maintaining. Since installing the required plate and door stickers, I feel that the appearance of the vehicle has been negatively affected. While I fully understand the need for licensing and identification, I would appreciate consideration being given to a more discreet and professional-looking solution.
9)Thank you again for allowing me to share my views. I appreciate the work that Shropshire Council does and hope these suggestions will be considered in future reviews of the licensing requirements.
Yours faithfully,

Document 22

Sent on: Wednesday, June 24, 2026 9:21:13 PM
To: Taxis <Taxis@shropshire.gov.uk>
Subject: Re: CONSULTATION: Your chance to be involved - Review of Shropshire Council's Hackney Carriage and Private Hire Licensing Policy

1)Good evening I'd support both of them thank you

Document 23

Sent on: Wednesday, June 24, 2026 5:59:29 PM

To: Taxis <Taxis@shropshire.gov.uk>

Subject: Shropshire Council Consultation Portal ,

1)Good Afternoon Team I would support the mandating for CCTV Cameras and I would Support the availability for Contactless Payments and I always support and apply the health and safety rules and apply them when a customer has a Wheel chair or other health issues Yours sincerely

Document 24

Sent on: Thursday, June 25, 2026 7:10:09 PM
To: Taxis <Taxis@shropshire.gov.uk>
Subject: Policy recommendations

1)Hi I would like to say that plate holder of any Hackney carriage must be able to change to vehicle to same age if new policy in force any new should comply with new policy.
2)Any forge ghost email or complaints with out proof should not effect drivers image we well come any genuine complaints to be investigated but if any one can't proof anything then it should not go on drivers file.
3)Card reader must be present but subject to signals on mobile phones as we faced problems were no signal then customer argued.
4)Instead of CCTV dash cam with voice recording should be recommended for drivers and customers safety.
5)Drivers should not be allocated to certain places for mot as it's very much effect loosing earnings as appointment system keeps you off road.
6)Enforcement must be more efficient as out area drivers flagging very much in all Shropshire.
7)Vehicle age must be 15 years with good inspection to save vehicle availability for mobility users as some councils are struggling with this issue.
Thanks

Document 25

Sent on: Thursday, June 25, 2026 1:28:51 PM

To: Taxis <Taxis@shropshire.gov.uk>

Subject: Licensing Policy Review - Comments

Good afternoon

1) Mandating of CCTV systems in hackney & private hire vehicles.

2) I would generally support this.

3) Mandating of the availability of contactless payments in hackney and private hrie vehicles

4) I would NOT support this. My business is 99% contract work where we invoice our clients and they pay by bank transfer. I have no need to take contact payments, and this would be an unnecessary expense.

5) In Hackney Carriages - it makes more sense, but I don't think it should be down to Shropshire Council to enforce this. Most Hackney and Private Hire drivers are self employed, and this sort of commercial decision should be down to the individual proprietor. If they see a need for it, they can implement it. If customers don't like using a company/driver that doesn't offer contactless payments, they are free to chose another that does.

Kind regards

Document 26

26 June 2026

Response to Shropshire Council's Review of the Hackney Carriage and Private Hire Licensing Policy 2027 to 2031

Submitted by email to taxis@shropshire.gov.uk.

Dear Madam/Sir,

1)Thank you for the opportunity to respond to the consultation on proposals to update Shropshire's Taxi Policy.

2)About Uber:
Uber operates all over the UK, holding operating licences with over 100 local authorities. We connect over 150,000 licensed private hire vehicle (PHV) drivers with millions of customers, helping them get where they need to go and supporting the shift towards shared and sustainable transport.

3)Please find below responses to specific paragraphs and questions:
CCTV: '[...] we would like to know if you would support the mandating of the installation of CCTV systems in hackney carriage and private hire vehicles.' -
We support an approach that empowers drivers with choice and encourages the adoption of modern technology.

4)Uber is committed to working with local authorities to create a safer environment for everyone using and operating private hire vehicles. We believe that by adopting a forward-thinking, and technologically inclusive approach to CCTV policy, we can collectively achieve significant improvements in safety and accountability across the UK's private hire sector.

5)We understand this is a difficult regulatory area with a range of considerations to balance, including driver and passenger privacy. However, CCTV enables authorities as well as Operators to consider relevant footage and take more evidence-based decisions when investigating complaints. Drivers frequently tell us that they are in favour of CCTV and a 2024 survey by the National Private Hire and Taxi Association found that nearly 90% of drivers believe more should be done to safeguard them from aggressive or violent passengers.

6)As well as enabling more comprehensive and fairer investigation in response to complaints, CCTV serves as an effective deterrent, promoting good behaviour by all. It is used frequently in nearly all other transport settings including on buses, trains and the road network.

7)Should the council mandate the use of CCTV, we would suggest that the council considers sufficient data retention periods for the audio and/or video for when there is a confirmed safety investigation. This is to ensure there is enough time from the concerned parties to review the footage in full.

8)We encourage the Council to consider a strategy to reduce the cost of procuring and

installing CCTV systems, which will maximise adoption among drivers. For example, Uber has technology within its App that allows drivers to record trips using the camera on their phone. We use this in many other countries that we operate in globally to good effect and we plan to launch this feature in the UK soon. As the driver uses our in-app technology, there is no cost involved to procure additional hardware.

9)Apart from video-based CCTV, we would also like to point out that it is worth considering audio recordings. In certain situations, audio recordings can serve as a deterrent of unsafe behaviour and provide evidence which can lead to fairer outcomes of safety investigations than video footage alone. This is particularly true for complaints that relate to discrimination, sexual misconduct and inappropriate conversations. However, it is important to note that audio recordings can be intrusive to a person's privacy and should therefore only be used under exceptional circumstances. Any use of audio recordings must be balanced against the privacy rights of drivers and passengers and comply with the UK GDPR and ICO guidance.

10)'We would like to know what other improvements could be made to the policy.' - Appendix D/Appendix G, Private Hire Operator Conditions 1.59-1.61 (p. 191-192 of the proposed Policy):

11)We welcome the draft Policy's recognition that bookings and vehicle dispatch may take place digitally through electronic systems, in some cases without direct human involvement. However, Private Hire Operator conditions 1.59-1.61 still mandate recording the names of specific individuals who responded to or dispatched a request, which works well for manually handled bookings. We fully support the accountability and traceability objectives behind these conditions, and we would respectfully invite the Council to consider how they might also accommodate automated dispatch, where a booking may be allocated by an electronic system rather than a named person. One way to achieve this, while preserving a clear audit trail in every case, might be to add wording such as "if applicable" to the relevant conditions. We would of course be happy to discuss the most appropriate drafting with officers.

12)Thank you for inviting Uber to comment on these proposals.

13)We would very much welcome the opportunity to discuss our response to this consultation with the Council and can make ourselves available at your convenience.

Yours sincerely,

Document 27

Sent on: Sunday, June 28, 2026 10:55:18 PM
To: Taxis <Taxis@shropshire.gov.uk>
Subject: Consultation policy

Good Evening
1)All the Hackney drivers support contact less payments. And all the drivers apart from 2 or 3 that don't take card payments and there has been problems regarding this. If it's small job the refuse and say they don't take card payments but when it's big job going somewere far they ask passengers to bank transfers, most councils across country have made it mandatory for Hackney drivers to have card readers.

2)Telford Council & Wolverhampton Council only require 1 mot per year ,we should have same.

3)Theres no high emissions or pollution in Shropshire so why is Hackney age limits so draconian, we should be be same has Telford , Wolverhampton, Birmingham, London, 15 years old and as long the Taxi is Euro 6.

4)And fees should be same as Wolverhampton. Theres 20 year old private hire and Hackney taxi from all over the Country working in Shrewsbury but Shropshire council put restrictions on Shropshire drivers. Its pure discrimination against Shropshire drivers by the council.
Kind Regards

Document 28

Sent on: Sunday, June 28, 2026 5:47:46 PM

To: Taxis <Taxis@shropshire.gov.uk>

Subject: Re: CONSULTATION: Your chance to be involved - Review of Shropshire Council's Hackney Carriage and Private Hire Licensing Policy

1) I am writing in response to the consultation on the proposed Taxi Licensing Policy due to come into effect next year.

2) As a private hire operator, I appreciate the opportunity to provide feedback on the proposed changes.

3) Firstly, I would like to comment on the proposed vehicle age restrictions. I believe it would be more appropriate to base vehicle standards on emissions and vehicle condition rather than age. A well-maintained vehicle that meets modern emissions standards can be just as safe, reliable, and environmentally friendly as a newer vehicle.

4) Over the years, we have had to sell vehicles that were in excellent condition, with full service histories, low mileage, and that had passed all required inspections, simply because they had reached the Council's maximum permitted age. These vehicles were still safe, reliable, and suitable for Hackney Carriage /Private hire work. Replacing them solely because of their age places an unnecessary financial burden on our business without providing any obvious benefit to passenger safety or the environment.

5) We are based in Ludlow, where the volume of private hire work is considerably lower than in larger towns such as Shrewsbury and the surrounding areas. As a result, our vehicles do not accumulate mileage as quickly, and the income generated does not justify replacing vehicles as frequently.

6) Rather than imposing an age limit, I would ask the Council to consider a policy based on emissions standards, yearly vehicle inspection, and evidence that a vehicle has been properly maintained through a documented service history. This would ensure that licensed vehicles remain safe, roadworthy, and environmentally responsible, regardless of their age.

7) Also regarding the proposal to make payment card readers mandatory. While many customers appreciate the option to pay by card, I believe this should remain a business decision for individual drivers and operators. Different businesses have different customer bases, and drivers should be free to decide which payment methods best suit their circumstances.

8) Similarly, I would ask the Council to reconsider making CCTV systems mandatory in all licensed vehicles. Installing and maintaining CCTV represents a significant additional expense for drivers, particularly at a time when operating costs continue to rise. Many drivers have worked safely for years without CCTV, and I believe it should remain a

personal choice rather than a compulsory requirement. Those who wish to install CCTV for their own reassurance or that of their passengers should be free to do so, but it should not be mandatory for everyone.

9) Finally, I would ask the Council to consider reviewing the current Hackney Carriage licensing requirements. A more flexible approach, particularly regarding the wheelchair accessibility requirement, could help support local taxi businesses. In a smaller town such as Ludlow, being able to operate from a taxi rank would make drivers more visible to the public, increase the availability of taxis, and help local businesses attract more customers.

10) I hope the Council will carefully consider these points before finalising the new policy. Thank you for providing the opportunity to take part in this consultation and for considering the views of local operators.

Document 29

Sent on: Sunday, June 28, 2026 11:00:24 PM
To: Taxis <Taxis@shropshire.gov.uk>
Subject: Re: Automatic Reply - Thank you for your email

1) I like to also add why is licensing Department not carried out any enforcement for a few years drivers coming on weekends touting and breaking licensing conditions

Document 30

Taxi/Private Hire Forum
Thursday 29th May 2026 at 10 am

Officers present: Mandy Beever (MB), Kate Roberts (KR), Scott Barnes (SB), Deborah Targett (DT)
Trade representatives: Four hackney carriage/private hire drivers

1.	**MB**	• Introduction • Introduced officers present • Explained format for forum, will initially be providing a response to the questions/topics for discussion that have been submitted. If time allows, will then open the floor to other questions/ topics for discussion
2.	**Questions submitted for discussion:** 1. NCAP rating on cars - why Shropshire Council are the only council that has this policy. 2. Working age of Hybrid cars. Please could you discuss extending the working age of Hybrid cars. As a taxi driver I feel this is an extra financial burden on me which can be eased with your help and consultation. You don't have a working age for just petrol or just electric cars, so why this rule is just for Hybrid? The rules that are applied should be universal across the board	
3.	**MB**	• NCAP – it was explained that the Best Practice Guidance for licensing authorities in England recommends that vehicles should be required to use the NCAP ratings scheme (see paragraph 8.5 of the document). Officers explained that due to the Government review of taxi/private hire legislation, Shropshire Council would not be looking to remove or reduce the NCAP standards
4.	**HCPH Drivers**	• It was stated that drivers are struggling to meet the NCAP standards, and many are being left out of pocket as they don't want to go to Panel for decision.
5.	**MB**	• Explained the process when an application is referred to Panel
6.	**KR**	• The licensing team recommend that when looking to purchase a vehicle, if an applicant isn't sure the vehicle would meet policy to contact the licensing team for advice
7.	**HCPH Drivers**	• Raised a concern about a driver walkaround check which is a requirement from another LA. It was stated that it is time consuming to complete even though it is an online form.
8.	**KR**	• The walkaround check is requirement set in the Best Practice Guidance for licensing authorities in England, therefore, all drivers should be completing this check (see paragraph 6.13 of the document).
9.	**HCPH Drivers**	• Concerns were raised about the lack of infrastructure for electric vehicles – there are not enough charging points
10.	**HCPH Drivers**	• His vehicle is diesel and serviced every 12k miles. He should be able to keep his vehicle on the road for longer than 10 years

11.	**MB**	• Explained that his application can be referred to Panel and Panel can grant an application where exceptional circumstances are demonstrated
12.	**HCPH Drivers**	• Has multiple cars and forgets to move the 'Vehicle Copy' badge to the next vehicles. Is it possible to have multiple 'Vehicle Copy' badges?
13.	**MB**	• Explanation given as to why one copy is provided and a driver's responsibility to move the 'Vehicle Copy' badge between vehicles
14.	**HCPH Drivers**	• Why are the trade asked to fix MOT advisories
15.	**MB/KR**	• Explanation given about the safety of the vehicle and that members of the public cannot select the vehicle that completes their booking. They rely on Shropshire Council to ensure that the vehicles are safe and suitable.
16.	**HCPH Drivers**	• Driver working hours – how can operators stop drivers from working too many hours as they are all self-employed and can work across multiple operators
17.	**HCPH Drivers**	• Provided an example of a driver who completed a journey which was ok, however, the driving on the return journey was erratic (no passenger on board)
18.	**HCPH Drivers**	• Asked why he was told he needed to get a spare tyre
19.	**MB/KR**	• Advised that all vehicles need to either have a spare tyre or commercial breakdown cover
20.	**HCPH Drivers**	• Advised that the RAC have a taxi use cover
21.	**HCPH Drivers**	• Thinks the minimum age for applicants for a hcph driver licence should be 25 years
22.	**MB**	• Provided an update on the online portal, and the ability to submit an application online
23.	**HCPH Drivers**	• Agrees with the requirement for a six-monthly MOT
24.	**HCPH Drivers**	• Asked why new cars require an MOT?
25.	**MB**	• Safety requirement – we have had new vehicles presented for Licensing where they have failed an MOT before the licence has been granted
26.	**HCPH Drivers**	• Stated that the trade don't put in submissions to the Policy as they don't see the point – they feel that Shropshire Council has already made up their mind about the Policy
27.	**MB**	• Each consultation response is considered and included within the committee papers
28.	**HCPH Drivers**	• Would like to see more on the spot chats with the trade
29.	**HCPH Drivers**	• Private hire vehicles are parking on the taxi ranks (*Oswestry)
30.	**HCPH Drivers**	• Self-driving vehicles – will Shropshire Council licence them?

31.	**KR**	• Update given about self-driving vehicles and Shropshire Council's role in licensing them. Currently waiting for an update from central government.
32.	**HCPH Drivers**	• Concerned that another private hire operator is buying out software systems, which means that they can then undercut other private hire operators also using that software due to algorithms
33.	**MB**	• Notes from forum will be considered and included with the committee papers but drivers, proprietors and operators should also put forward their own consultation response • Trade can submit comments to taxis@shropshire.gov.uk

Appendix B

Officer response to consultation response received

Appendix Letter/ Document Number	Para. No.	Included in Revised Policy [Y/N or In Part]	Officer Comments Explanatory Notes
1	1	N	Doesn't support CCTV
1	2	N	Doesn't support Contactless Payments
2	1	N	Doesn't support CCTV
3	1	N	Comment noted
3	2	N	Supports CCTV Consultee would like to introduce tracking systems and internal and external cameras for safety purposes. Officers support the use of cameras for safety purposes but there is no evidence or desire to justify making this compulsory for the trade at this time.
3	3	N	Supports Contactless Payments
3	4	N	Comments noted
4	1	N	CCTV requires Shropshire Council to be the data controller and therefore, this would not create any issues for drivers who work for multiple companies. Comments noted - Contactless Payments would require drivers who work for multiple companies to have separate devices for each company, and this would create confusion for the driver, passenger and operator. Please note that Hackney Carriage drivers/proprietors working solely as a hackney carriage and not taking private hire bookings from a licenced private hire operator would not require multiple devices.
5	1	N	Doesn't support CCTV
5	2	N	Doesn't support Contactless Payments
6	1	N	Comments noted
7	1	N	Comments noted
7	2	N	Doesn't support CCTV
7	3	N	Supports Contactless Payments

7	4	N	Comments noted – This comment falls outside the remit of this policy consultation. Officers note that the enforcement of the Shrewsbury Station Car Park lies with a private company (APCOA) and not Shropshire Council.
7	5	N	Comments noted
8	1 - 2	N	Supports CCTV
8	3	N	Consultee has proposed the introduction of internal and external cameras for safety purposes. Officers support the use of cameras for safety purposes but there is no evidence or desire to justify making this compulsory for the trade at this time.
8	4 - 5	N	Supports Contactless Payments
8	6 - 7	N	Comments noted
9	1	N	Supports CCTV and contactless payments
10	1	N	Supports Contactless Payments
10	2	N	Doesn't support CCTV
10	3	N	Comments noted – This comment falls outside the remit of this policy consultation. Shropshire Council work with Telford and Wrekin Council and Wolverhampton Council enforcement teams to ensure compliance.
11	1	N	Supports Contactless Payments
11	2	N	Supports CCTV
11	3	N	Officers note that the UK government are phasing out the sale of new petrol and diesel cars from 2030. The proposed policy supports the transition to zero emission vehicles (ZEV). The consultees request to increase the vehicle age would undermine this objective.
11	4	N	Comments noted
12	1 – 2	N	Doesn't support CCTV
12	3 – 5	N	Supports Contactless Payments
13	1 – 2	N	Comments noted
13	3 - 7	N	Supports CCTV for standard private hire vehicles and hackney carriages but would require an exemption for executive private hire vehicles
13	8 – 9	N	Supports Contactless Payments
13	10 - 11	N	Comments noted
14	1-2	N	Consultee supports the proposed requirements for vehicles

14	3	N	Comments noted – This comment falls outside the remit of this policy consultation. However, officers have committed to reviewing the current medical report form alongside the group 2 requirements
15	1-3	N	Comments noted
15	4-8	IP	Comments noted. Policy document has been amended to provide clarity to drivers on their requirement to notify of a change to private hire operator
15	9-13	N	Comments noted. Officers note that drivers are subject to a condition which states that they are responsible for ensuring that they do not work excessively long hours and take adequate breaks and rest periods
15	14-19	N	Comments noted.
15	20-27	N	Comments noted – This comment falls outside the remit of this policy consultation
15	28-29	N	Comments noted – This comment falls outside the remit of this policy consultation. However, clarification has been provided direct to the consultee
15	30-31	N	Comments noted – This comment falls outside the remit of this policy consultation. However, clarification has been provided direct to the consultee
15	32	N	Comments noted – This comment falls outside the remit of this policy consultation. However, clarification has been provided direct to the consultee
15	43-44	N	Comments noted. There is nothing in legislation that prevents a driver from holding hackney carriage/private hire driver licences from other local authorities
15	45	N	Comments noted – This comment falls outside the remit of this policy consultation. The Deregulation Act 2015 permits vehicles licensed by other local authorities to lawfully operate within the administrative area of Shropshire Council. The Government have committed to a review of hackney carriage/private hire legislation in order to address this situation.
15	46	N	Comments noted – Officers note that the UK government are phasing out the sale of new petrol and diesel cars from 2030. The proposed policy supports the transition to zero emission vehicles (ZEV). The consultees request to increase the vehicle age would undermine this objective.
15	47	N	Comments noted
16	1	N	Comments noted – This comment falls outside the remit of this policy consultation
16	2	N	Comments noted – Safeguarding concerns change - the safeguarding course is updated periodically to incorporate current safeguarding concerns and trends.

			The course is required every three years at renewal so that drivers are aware of any new trends etc
17	1	N	Officers note that drivers are subject to a condition which states that they are responsible for ensuring that they do not work excessively long hours and take adequate breaks and rest periods
17	2	N	Officers note that the UK government are phasing out the sale of new petrol and diesel cars from 2030. The proposed policy supports the transition to zero emission vehicles (ZEV). The consultees request to increase the vehicle age would undermine this objective.
17	3	N	Comments noted – This comment falls outside the remit of this policy consultation. The Deregulation Act 2015 permits vehicles licensed by other local authorities to lawfully operate within the administrative area of Shropshire Council. The Government have committed to a review of hackney carriage/private hire legislation in order to address this situation.
17	4	N	Comments noted – This comment falls outside the remit of this policy consultation
18	1	N	Comments noted – This comment falls outside the remit of this policy consultation. Officers note that the trade will have an opportunity to comment on the fees & charges for 2027/2028 during the fees consultation in January/February 2027
19	1	N	Consultee supports CCTV
19	1	N	Consultee supports Contactless Payments
19	2	N	Comments noted – This comment falls outside the remit of this policy consultation. The Deregulation Act 2015 permits vehicles licensed by other local authorities to lawfully operate within the administrative area of Shropshire Council. The Government have committed to a review of hackney carriage/private hire legislation in order to address this situation.
20	1	N	Officers note that the UK government are phasing out the sale of new petrol and diesel cars from 2030. The proposed policy supports the transition to zero emission vehicles (ZEV). The consultees request to increase the vehicle age would undermine this objective. Age of vehicle
21	1-3	N	Comments noted – This comment falls outside the remit of this policy consultation.

21	4-9	N	Comments noted. Officers note that the vehicle licence plates and door stickers are placed on a licensed vehicle to assist with public safety. They help members of the public to easily recognise and identify a licensed vehicle.
22	1	N	Consultee supports CCTV
22	1	N	Consultee supports Contactless Payments
23	1	N	Consultee supports CCTV
23	1	N	Consultee supports Contactless Payments
24	1	N	All requests to transfer a vehicle licence (change a vehicle) onto another vehicle are treated as a new application in accordance with the requirements of hackney carriage/private hire legislation
24	2	N	All complaints are investigated in accordance with the Council's Better Regulation and Enforcement Policy
24	3	N	Consultee supports Contactless Payments
24	4	N	Consultee does not support CCTV. Consultee proposes the use of dash-cam with voice recording. Officers note that dash-cam footage does not provide images inside a licensed vehicle.
24	5	N	MOT tests can be completed any any Authorised Vehicle Examiner at a Vehicle Testing Station. Proprietors are not allocated a specific MOT Testing Station
24	6	N	Comments noted – This comment falls outside the remit of this policy consultation.
24	7	N	Officers note that the UK government are phasing out the sale of new petrol and diesel cars from 2030. The proposed policy supports the transition to zero emission vehicles (ZEV). The consultees request to increase the vehicle age would undermine this objective.
25	1-2	N	Consultee supports CCTV
25	3-5	N	Consultee does not support Contactless Payments
26	1.2	N	Comments noted
26	3-9	N	Consultee supports CCTV
26	10-13	Y	The Policy document has been amended at Appendix G, private hire operator licence conditions of licence, conditions 1.59 to 1.61, to take into account consultees comments
27	1	N	Consultee supports Contactless Payments

27	2	N	Comments noted – officers consider that the requirements for a licensed vehicle to have an MOT every six or four months helps to ensure that a vehicle remains safe and suitable
27	3	N	Officers note that the UK government are phasing out the sale of new petrol and diesel cars from 2030. The proposed policy supports the transition to zero emission vehicles (ZEV). The consultees request to increase the vehicle age would undermine this objective.
27	4	N	Comments noted – This comment falls outside the remit of this policy consultation. Officers note that the trade will have an opportunity to comment on the fees & charges for 2027/2028 during the fees consultation in January/February 2027
28	1-6	N	Officers note that the UK government are phasing out the sale of new petrol and diesel cars from 2030. The proposed policy supports the transition to zero emission vehicles (ZEV). The consultees request to base the vehicle standards on emissions and vehicle condition rather than age is already incorporated within the Policy. The use of an age restriction provides clear guidance to prospective licence holders.
28	7	N	Consultee does not support Contactless Payments
28	8	N	Consultee Does not support CCTV
28	9-10	N	Officers note that hackney carriages are licensed to stand for hire at a taxi rank or can be hailed in the street. Having a wheelchair accessible hackney carriage fleet helps the Council fulfil its obligations under the Equality Act 2010
29	1	N	Comments noted – This comment falls outside the remit of this policy consultation
30	1-33	N	Notes from the Taxi Forum held on 29th May 2026 attended by four hackney carriage/private hire drivers (of which all are vehicle proprietors and three are private hire operators).

Hackney Carriage and Private Hire Licensing Policy 2027-2031

Date policy adopted:

Adopted by: Cabinet

Date of implementation: 1 April 2027

Next review period: 1 April 2030 to 31 March 2031

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PART 1

INTRODUCTION

PART 1 – INTRODUCTION

Scope

1.0 The Hackney Carriage and Private Hire Licensing Policy ('the Policy') is applicable to the licensing of hackney carriage and private hire drivers and vehicles and to the licensing of private hire operators. This Policy supersedes all previous Council policies relating to hackney carriages, private hire vehicles, operators and drivers.

Purpose

1.1 The fundamental purpose of the Policy is to protect the safety and welfare of the public who live in, work in and visit Shropshire. The importance of a thriving hackney carriage and private hire trade to the growth and prosperity of Shropshire's local economy is recognised. Almost everyone in our society occasionally uses licensed vehicles; however, they are regularly used by particularly vulnerable groups, including children, older people, people with disabilities and intoxicated. Given that a licensed driver has significant power over a passenger who, in effect, places themselves and their personal safety completely in the hands of the driver, it is imperative that the safety and welfare of the public is the over-riding principle that will be considered when matters are dealt with under the Policy.

1.2 Shropshire Council ('the Council') is particularly concerned to ensure:

- the safeguarding of children, young persons and adults, including those with care and support needs, such as wheelchair users and assistance dog owners, as well as those with less visible impairments, including people who are neurodivergent or those with mental illness)
- a zero-tolerance approach towards modern slavery and human trafficking (modern slavery is a crime and a violation of fundamental human rights and can take various forms such as slavery, servitude, forced and compulsory labour and human trafficking)
- that the action to promote the welfare of children, young persons and adults (including those with care and support needs) and to protect them from harm is everyone's responsibility, in particular, prospective and licensed drivers and operators who will have dealings with children and families have a duty to report matters of concern that could relate to the safety of children, young persons and adults (including those with care and support needs) to the relevant authorities (refer to **Appendix A** for further information)
- that any person who applies to be a hackney carriage or private hire vehicle driver, proprietor or operator is a fit and proper person and does not pose a threat (in any form) to the public
- that the public are safeguarded from dishonest persons
- that hackney carriage and private hire drivers, private hire operators and vehicle proprietors recognise the significant responsibility and pivotal roles they have in relation to protecting the public, particularly with respect to ensuring robust sub-contracting arrangements are in place and effectively managed and promoting and maintaining high standards of consumer protection and customer service across their entire business operation
- that the hallmark of the regulatory licensing regime is localism and that the local authority responsible for granting licences ought to have the authority to exercise full control over all vehicles and drivers being operated within its area. The Council believes that the increasing prevalence of cross-border hiring can undermine local licensing control. Public safety is being threatened and

environmental aspirations diluted in cases where drivers/vehicle proprietors 'shop around' to be licensed by local authorities that demand the lowest standards and then exclusively or predominantly work in an area or areas where standards are higher and licences more difficult to obtain

- that vehicles used to convey passengers are safe and fit for the purpose for which they are licensed
- that the impact on the environment is reduced in line with European and national guidelines and the Council's Climate Change Strategy[1]

1.3 The Policy provides guidance to any person with an interest in hackney carriage and private hire licensing; in particular, but not restricted to:

- persons who wish to apply for hackney carriage and private hire vehicle, drivers or operator licences
- persons who hold existing licences, including those that are the subject of review
- the Council, in its capacity as the licensing authority, including licensing officers, members of the relevant licensing committees and the Licensing Panel (or other relevant decision-making bodies)
- licensing consultants, solicitors and barristers advising and/or representing applicants/licence holders
- magistrates and judges hearing appeals against Council decisions

1.4 The Policy is designed to put the Council's licensing requirements into context in accordance with relevant legislation. It is not the intention of this Policy to outline every section of the legislation throughout the proposed policy document and applicants are advised to either consider the legislation directly or obtain independent legal advice.

Consultation and Communication

1.5 In determining the Policy, the Council has consulted as set out on page 132. The views of relevant stakeholders have been taken into consideration.

1.6 In order to deliver a transparent, accountable and efficient licensing service the Council is committed to ongoing communicating and consultation with all stakeholders. In particular, the Council welcomes the opportunity to communicate and consult with representatives of the hackney carriage and private hire trade to enable and encourage the exchange of views and information in relation to the Policy, conditions, changes in the law and reviews. The specific methods to achieve this communication and consultation will be determined as required.

Review of the Policy

1.7 The Council will commence a review of the Policy in 2030 with the aim of a revised policy being effective from 1 April 2031. However, it will be the subject of continuous evaluation and, if necessary, formally reviewed at any time. At the time of review all relevant stakeholders will again be consulted. Any licensed driver, proprietor or operator may request a review of the policy at any time.

1.8 The Council does not stipulate through this Policy the colour of a licensed vehicle. However, the Council has agreed that the trade be encouraged, particularly when considering vehicle replacement, to adopt the following approach:

[1] Shropshire Climate Change Strategy

- All hackney carriages to be of a uniform black colour
- All private hire vehicles to be of a uniform colour and NOT black

Legislative framework

1.9 The operation of the Council's licensing service is undertaken in accordance with relevant legislation, applicable licence conditions, the Regulators' Code (BRDO 14/705 April 2014), the Department for Transport Taxi and Private Hire Vehicle Licensing Best Practice Guidance for Licensing Authorities in England (November 2023), the Statutory Taxi and Private Hire Vehicle Standards (July 2020), the Taxi and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022[2], the Taxis and Private Hire Vehicles (Disabled Persons) Act 2022[3], the Air Quality (Taxi and Private Hire Vehicles Database) (England and Wales) Regulations 2019: Statutory guidance[4], the Immigration Act 2016, the Equality Act 2010, Finance Bill 2021 (Tax Conditionality) and such other guidance that may be issued from time to time by the Department for Transport and other Government departments.

1.10 The primary legislation relating to hackney carriage and private hire licensing is contained in the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976. In addition, the service is provided in accordance with all relevant Council policies, but in particular those that relate to the following:

- Protection of children, young persons and adults (including those with care and support needs)
- Better regulation and enforcement
- Data protection including access to information
- Public sector equality duty as set out in the Equality Act 2010
- Human rights[5]

1.11 The Policy and associated conditions do not address health and safety at work requirements. Drivers and operators are required to ensure all relevant health and safety at work provisions are satisfied.

1.12 The Policy and associated conditions do not address requirements under the Road Traffic Act 1988 and other relevant road traffic legislation, e.g., the Highway Code, parking restrictions and traffic regulation orders.

Privacy Notices

1.13 The Council will collect information from you when you apply for a licence, visit our website, when you contact us in writing, speak to us on the phone, by email or any other type of electronic communication, or talk to us face to face.

1.14 The Council will collect different categories of information about you, depending on the service you want from us or that we need to provide to you. This can be basic personal

[2] https://www.gov.uk/government/publications/taxis-and-private-hire-vehicles-safeguarding-and-road-safety-act-2022/taxis-and-private-hire-vehicles-safeguarding-and-road-safety-act-2022

[3] https://www.gov.uk/government/publications/access-to-taxis-and-private-hire-vehicles-for-disabled-users/access-to-taxis-and-private-hire-vehicles-for-disabled-users--2

[4] https://www.gov.uk/government/publications/air-quality-taxis-and-private-hire-vehicles-phvs-database-guidance/the-air-quality-taxi-and-private-hire-vehicles-database-england-and-wales-regulations-2019-statutory-guidance

[5] Human Rights Act 1998, in particular, Article 1, Protocol 1 – peaceful enjoyment of possessions (a licence is considered a possession in law and people should not be deprived of their possessions except in the public interest); Article 4 - prohibition of slavery and forced labour; Article 6 – right to a fair hearing; Article 7 – no punishment without law ; Article 8 – respect for private and family life (in particular, removal or restriction of a licence may affect a person's private life); Article 10 – right to freedom of expression; and Article 14 - prohibition of discrimination.

information, such as your name and address, and in some cases more sensitive data if this is necessary. Information on how we process Personal Data in relation to the provision of administering the licensing service can be found in our Privacy Notice[6], which should be read in conjunction with the Council's general Privacy Notice.

Conditions

1.15 The applicable conditions with which a driver, proprietor or operator must comply are set out at **Appendix B – Appendix G**. These conditions are in addition to any matters set out within the main body of the Policy.

1.16 When determining applications or reviewing an existing licence, the Council will adopt any reasonable conditions that it deems necessary and appropriate to ensure that proprietors, operators, drivers and vehicles comply with relevant legislation and the fundamental purpose of the Policy, i.e. to protect the safety and welfare of the public. Any licensed driver, vehicle proprietor or operator aggrieved by a decision of the Council, with respect to a refusal to grant or renew a licence and to suspend or revoke a licence or to attach additional conditions to a licence, has a right of appeal to the appropriate Court.

[6] Service area-specific privacy notices | Shropshire Council

PART 2

LICENSING PRINCIPLES, PROCESS AND DELEGATION

PART 2 – LICENSING PRINCIPLES, PROCESS AND DELEGATION

Introduction

2.0 The Council has adopted Part II of the Local Government (Miscellaneous Provisions) Act 1976 and, together with the provisions contained in the Town Police Clauses Act 1847, the Council carries out the licensing of hackney carriage drivers and vehicles and private hire drivers, vehicles and operators.

2.1 This part of the Policy focusses on the principles the Council will follow when administering licence applications, reviewing current licences, reviewing conditions, setting fees and setting the hackney carriage table of fares. It explains the roles and duties of the Strategic Licensing Committee, the Licensing and Safety Sub-Committee, the Licensing Panel and officers of the Council.

2.2 Where appropriate, any reference to 'applicant' is deemed to include existing licence holders. In respect of proprietors and operators, 'applicant' also includes any partners, directors/company secretaries.

Licensing principles

2.3 The licensing process is neither civil nor criminal in nature; it is quasi-judicial. In other words, licensing powers and functions are undertaken by the Council in a similar way to powers and functions that are exercised by a judge in a court of law.

2.4 The Council aims to provide a clear, consistent and responsive service to prospective and current licence holders, members of the public and other stakeholders. This includes the provision of advice to prospective applicants, including advice on the effect that convictions, cautions, driving endorsements, complaints etc. may have on any application, and to existing licence holders. The Council will be mindful of the needs of the applicant, but this will be balanced against the over-riding duty that the Council has to protect the safety and welfare of the public.

2.5 All licence applications will be considered and determined on their own individual merits.

Licensing process and delegation of functions

2.6 The licensing of hackney carriages and private hire vehicles, drivers and operators is a Council function that is discharged by the Council's Strategic Licensing Committee in accordance with Shropshire Council's Constitution[7]. The Strategic Licensing Committee has delegated this function to the Licensing and Safety Sub-committee, a Licensing Panel where officers with delegated authority will make licensing decisions and to officers of the Council who will determine all applications in accordance with this Policy.

2.7 An individual may approach a Shropshire Council Councillor to act as their representative. However, members of the Strategic Licensing Committee may be unable to act as their representative where there is a conflict of interest. Any Councillor who is a member of the Licensing and Safety Sub-committee determining an application or review of a licence may not act as a representative. If there is any doubt, the individual is advised to contact the Council's Legal & Democratic Services for clarification.

[7] In accordance with Part 4 Council Procedure Rules, Licensing and Safety Sub-Committee Procedure Rules and Part 8 Delegations, Director of Public Health. The Council's Constitution can be found at https://shropshire.gov.uk/legal-and-democratic-services/our-constitution

2.8 Whilst officers and the relevant committees will, in the majority of cases, follow the Policy, there may be specific circumstances that require a departure from the Policy. In such circumstances, the reasons for departing from the Policy will be made clear.

Committees and licensing panel

2.9 Strategic Licensing Committee

This Committee is made up of 15 members of the Council. It deals with policy issues, sets standard conditions of licence, the setting of fees and charges and hackney carriage fares.

2.10 Licensing and Safety Sub-committee

This Committee is made up of a selection of Members from the Strategic Licensing Committee. Five to six Members (Quorum of 3) will sit on hearings to deal with new applications, renewals and reviews of licences that are referred by officers. Members, when determining applications for a licence, renewals or reviews of a licence, will have regard to hackney carriage and private hire legislation, this Policy, the Department for Transport Taxi and Private Hire Vehicle Licensing Best Practice Guidance (November 2023), the Statutory Taxi and Private Hire Vehicle Standards (July 2020), the Taxi and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022, the Taxis and Private Hire Vehicles (Disabled Persons) Act 2022, the Road Traffic Act 1988 and other relevant road traffic legislation, the Human Rights Act 1998, the Equality Act 2010, any relevant legal case law and other relevant Council policies.

2.11 Licensing Panel

The Panel is an internal mechanism set up by the Council to assist and support the officers who have delegated authority to make licensing decisions[8]. The manager responsible for licensing will make a decision in consultation with a legal adviser and other officers considered appropriate. Currently, the Panel consists of a licensing officer and representatives from adult and children's safeguarding and is attended by a Council solicitor in their capacity as an independent legal adviser. The Panel assists and supports officers with delegated authority to determine new applications, renewals and reviews of licences that are referred directly by a licensing officer. Matters, where the officer with delegated authority is unable to reach a decision, or for any other reason so agreed by that officer, will be referred to the Licensing and Safety Sub-committee for determination.

Decisions

2.12 The Council, by virtue of a duly authorised officer, has the power to refuse to grant or renew licences and also to suspend or revoke existing licences in accordance with relevant legislative provisions. In addition, the Council may choose to issue written warnings or advice.

2.13 Any decision to refuse to grant or renew a licence or to suspend or revoke an existing licence, including the decision to suspend or revoke a driver licence with immediate effect, or to issue a written warning or advice will be made in accordance with the Council's scheme of delegation and other relevant procedures.

2.14 The Council will consider each case on its own individual merits and when making a decision will determine what action is appropriate and proportionate to the circumstances

[8] In accordance with Part 4 Council Procedure Rules, Licensing and Safety Sub-Committee Procedure Rules and Part 8 Delegations, Director of Public Health. The Council's Constitution can be found at https://shropshire.gov.uk/legal-and-democratic-services/our-constitution

of the case. Decisions are made based on a civil not criminal standard of proof, i.e. on the balance of probabilities, is something more likely than not to be the case. The Council is not required to prove matters beyond reasonable doubt.

2.15 Where applications are to be determined, the Council will take into consideration the facts of the application, any information and/or evidence provided by other interested parties including, but not restricted to, other licensing authorities, officers from the Council with responsibility for safeguarding and passenger transport contracts, and officers from West Mercia Police. In order to provide applicants with the opportunity to consider and respond by way of written and/or verbal representations, as appropriate, the Council will provide the relevant details which have given rise to the need for an officer decision and/or hearing.

2.16 Following the determination of an application by the Council the applicant will receive a copy of the decision in writing. This written decision will be issued as soon as is practicable after the decision has been made and within 14 days. This will include information on the right of appeal where appropriate.

NB If the Council receives information in relation to any safeguarding or road safety concerns about a hackney carriage or private hire driver who is licensed by another licensing authority, the relevant information will be shared with that authority.

Appeals

2.17 Parties aggrieved by a decision of the Council, with respect to a refusal to grant or renew a licence and to suspend or revoke a licence or to attach additional conditions to a licence have a right of appeal to the appropriate Court. This must be lodged with the Court in accordance with the relevant statutory provisions. The Council strongly advises parties to promptly seek appropriate independent legal advice in such circumstances.

Statutory Taxi and Private Hire Vehicle Standards

2.18 On the 21 July 2020 the Secretary of State for Transport published new Statutory Taxi and Private Hire Vehicle Standards (the Standards) to all licensing authorities. The Standards are an important first step in reforming the way the taxi and private hire vehicle sector is regulated.

2.19 The Standards are aimed at achieving a consistent national standard for safeguarding children and vulnerable adults and were developed to set-out a range of robust measures to protect taxi and private hire vehicle passengers, particularly those most vulnerable.

2.20 Shropshire Council is under a legal duty, under section 177 of the Police and Crime Act 2017, to have regard to the Standards.

2.21 The requirements of the Standards have been considered and incorporated within the Council's Policy.

2.22 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, the requirements of the Standards will take precedence.

National register for hackney carriage and private hire licence revocations, refusals and suspensions

2.23 The national register for hackney carriage and private hire licence revocations, refusals and suspensions (NR3S) (or equivalent if this is replaced) is an online database which contains information about applicants for a hackney carriage or private hire driver licence who have been refused, revoked or suspended. The information is used to assist local authorities to determine if an applicant is 'fit and proper' to hold such a licence.

2.24 On new and renewal applications the Council will make enquiries through NR3S in order to ensure the Council is in a position to make as accurate an assessment of the applicant's fitness to hold a licence as is reasonably practicable. If a search of NR3S indicates a match with an applicant, the authority will seek further information about the entry on the register from the authority which recorded it.

2.25 With specific reference to existing licence holders, where there is any cause for a licence to be reviewed, the Council will make additional enquiries through NR3S in order to ensure the Council is in a position to make as accurate an assessment of the licence holders fitness to hold a licence as is reasonably practicable.

2.26 The Council will record the basic details of applicants and licence holders who have had their licence refused, revoked or suspended on the national register for hackney carriage and private hire licence revocations, refusals and suspensions.

2.27 The information recorded on NR3S will be limited to:

- Name
- Date of birth
- Address and contact details
- National insurance number
- Driving licence number
- Decision taken
- Date of decision
- Date decision effective
- If a suspension, the date on which the suspension is to end

2.28 Information will be retained on NR3S for a period of 11 years.

2.29 Recording information on NR3S does not mean that an applicant will be automatically prevented from obtaining a licence in the future. The information is intended to ensure that licensing authorities are able to access an applicant's full licensing history should an applicant apply to a different local authority. Where a request is received from another local authority, the Council may provide its reasons for the refusal, revocation or suspension of a licence.

Cross-border hiring

2.30 Cross-border hiring is a term used to describe a situation where private hire vehicles or hackney carriages, that are licensed by one licensing authority work in another licensing authority area.

2.31 This situation poses a potential risk to public safety, as well as the reputation of local government as a whole. Consequently, the Council recognises the responsibility it has to use all appropriate mechanisms and opportunities, including working with and supporting other local authorities, to protect communities outside of its immediate responsibility.

Working in partnership

2.32 The Council aims to work in partnership when dealing with hackney carriage and private hire licensing issues. Such partnerships will include, but are not restricted to, relevant hackney carriage and private hire trade associations, Telford & Wrekin Council, City of Wolverhampton Council and other local authorities, West Mercia Police and other relevant police forces, Driver and Vehicle Standards Agency (DVSA), the Home Office, UK Border Agency, Her Majesty's Revenue and Customs (HMRC), Revenues and Benefits teams, disability groups and consumer groups.

2.33 However, it must be recognised that the Council, as primary regulator, will ensure that all relevant provisions relating to the effective administration of licensing functions are robustly enforced to protect the public.

PART 3

LICENSABLE ACTIVITIES

PART 3 – LICENSABLE ACTIVITIES

Introduction

3.0 This part of the Policy focusses on the licensable activities and the necessary steps required to obtain and hold such a licence. These steps will include the standards that applicants must attain and the conditions that apply. Where appropriate, any reference to 'applicant' is deemed to include existing licence holders. Where appropriate, any reference to 'employ' or 'employment' is deemed to include hackney carriage or private hire drivers who may be contracted on a self-employed basis and used to fulfil bookings.

3.1 The following are applicable to all licence types:

- Where an applicant has failed to declare relevant information or provided false information (e.g. failure to declare convictions including where the Council has brought the prosecution or is likely to be aware of the conviction through other means, giving false names or addresses, providing falsified references or failing to disclose in full the information requested by the Council), the application is likely to be refused; where this relates to an existing licence, the licence is likely to be revoked. Applicants are reminded that it is an offence to knowingly or recklessly make a false statement/declaration or omit any material particularly when giving information required by the application for a licence.
- The Council is committed to ensuring that it provides a quality and efficient service to every customer; however, there are rare instances where a customer unnecessarily takes up a large amount of resources. This can lead to a detrimental effect on the ability of the Council to provide a satisfactory level of service to its other customers. Unreasonably persistent and vexatious customers are those individuals who, because of the nature or frequency of their contacts with the Council, hinder the Council's ability to effectively deliver services to its customers. Where an applicant demonstrates unreasonably persistent and vexatious behaviour the Council will take a very robust stance when deciding whether or not a person is fit and proper to hold a licence granted by the Council. Detailed guidance is available on the Council's website at https://next.shropshire.gov.uk/feedback/corporate-complaints/.
- All licence fees are payable at the time of application. Where a licence is not granted, e.g. the applicant withdraws their application; a proportion of the licence fee will be refunded. In the event of an appeal, the Council will only consider a refund after any appeal period has passed and on confirmation from the Council's Legal Team that that an appeal has not been lodged. The actual amount of the refund will depend upon the progress of the application.
- The application process must be completed within 6 months unless prevented from doing so by matters that are outside the applicant's control, e.g. external delays in the Disclosure and Barring Service (DBS) process. When an application is not completed within this timescale the application will be referred to the Licensing Panel for determination where an officer with delegated authority will consider each case on its own individual merits and will determine what action is appropriate and proportionate to the circumstances of the case.
- Where a licence has been surrendered or revoked a new application must be submitted in accordance with the relevant new licence procedures before the Council will consider the application.
- When a licence expires, the Council will not permit any 'periods of grace' for the submission of a renewal application unless there is satisfactory evidence of exceptional circumstances that are accepted by the Council.

Appointments

3.2 The Council runs an appointment system. Applicants will not be seen without an appointment.

3.3 Once an appointment has been allocated, an applicant must give 24 hours notice to cancel an appointment otherwise they will be required to pay a missed appointment fee before any further appointments are made.

3.4 To assist operators, drivers and proprietors to be allocated appointments in a timely manner, the Council will notify all operators, drivers and proprietors of vehicles that their licence is due to expire at least four weeks before the actual expiry of a licence. This is not a legal requirement and responsibility for ensuring that an application for renewal is submitted before the expiry of the licence lies solely with the operator, driver and proprietor.

Criminal record disclosure

3.5 The Council follows the Disclosure and Barring Service (DBS) Revised Code of Practice for Disclosure and Barring Service Registered Persons (November 2015) and abides by the handling of DBS certificate information requirements on the secure storage, handling, use, retention and disposal of disclosure certificates and certificate information. Further information about the DBS can be found on the GOV.UK website at: https://www.gov.uk/government/organisations/disclosure-and-barring-service/about

3.6 The Council will accept an Enhanced DBS certificate issued as part of an application made through a separate organisation providing:

- It has been applied for with a Barred Lists check, under the Other Workforce criteria, and is for a relevant role
- The original DBS certificate is presented to the Council
- The applicant has subscribed to the DBS Update Service
- The applicant has authorised the Council to access the relevant online record

3.7 It is a requirement of the Council's application process that an applicant must subscribe to the DBS Update Service within 30 calendar days of the issue date as stated on the DBS certificate.

3.8 All licensed drivers must evidence continuous registration to the DBS Update Service throughout the licence period.

3.9 Where an applicant is unable to subscribe to the DBS Update Service, a copy of a new enhanced DBS certificate that meets the requirements set out in paragraph 3.6 above, must be provided by the applicant every six months at their own expense.

3.10 The DBS Update Service allows the Council to check the status of an existing DBS certificate providing permission has been given by the applicant and providing the certificate applies to the same workforce and where the same type and level of criminal record check is required.

3.11 The Council will undertake online status checks of existing enhanced DBS certificates throughout the currency of the licence to check if any new information has come to light since its issue.

3.12 The DBS Update Service will provide the Council with one of the following three statuses:

1. This DBS certificate did not reveal any information and remains current as no further information has been identified since its issue.
   - This means the DBS certificate when issued was blank – it did not reveal any information about the person and no new information has been confirmed since its issue and can therefore be accepted as being still current and valid.

2. This DBS certificate remains current as no further information has been identified since its issue.
   - This means the DBS certificate revealed information about the person and no new information has been confirmed since its issue and can therefore be accepted as being still current and valid.

3. This DBS certificate is no longer current. Please apply for a new DBS check to get the most up-to-date information.
   - This means new information has come to light since the DBS certificate was issued and DBS have confirmed that the information would be included in a new DBS check. An applicant will need to apply and pay for a new DBS check to see this new information.

4. The details entered do not match those held on our system. Please check and try again.
   - This means either the individual has not subscribed to the Update Service, the DBS certificate has been removed from the Update Service, or the correct information has not been entered.

3.13 Where the DBS Update Service reveals that there is a change to the status of the DBS certificate, an applicant will be required to pay and apply for a new DBS certificate, at their own expense.

3.14 Shropshire Council has a duty under the Safeguarding Vulnerable Groups Act 2006, Sections 41 and 43, to refer a person to the DBS where the person is a regulated activity provider and Shropshire Council have withdrawn permission for said person to engage in regulated activity. Further information can be found in **Appendix I**.

3.15 Drivers who undertake work for Shropshire Council's transport contracts are advised that the Licensing Team will share DBS information with the Council's Passenger Transport Team. The Passenger Transport Team will share information with the Licensing Team about individuals and businesses that apply and/or tender to deliver passenger transport contracts and any complaints that they receive. Conversely, the Licensing Team will share information with the Passenger Transport Team where concerns are raised in regard to the conduct of a licensed driver.

Public registers

3.16 The Council maintains a public register for hackney carriages, private hire vehicles, operators and drivers in accordance with the provisions contained within the Local Government (Miscellaneous Provisions) Act 1976 and the Town Police Clauses Act 1847.

List of designated wheelchair accessible vehicles

3.17 The Council maintains a list of designated wheelchair accessible vehicles in accordance with the provisions contained within the Equality Act 2010. Further information can be found at 3a.96, 3b.31, 3c.30, 3d.39, 3e.35 and 3f.95.

3a. HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS

Summary

3a.1 Any person who drives a hackney carriage must hold the appropriate vehicle driver licence. Hackney carriage vehicle driver licences are issued in accordance with section 46 of the Town Police Clauses Act 1847 and section 59 of the Local Government (Miscellaneous Provisions) Act 1976.

3a.2 Any person who drives a licensed private hire vehicle must hold the appropriate vehicle driver licence. Private hire vehicle driver licences are issued in accordance with section 51 of the Local Government (Miscellaneous Provisions) Act 1976.

3a.3 The Council will issue a driver licence to applicants who meet the fit and proper person test, and this will permit the driving of both hackney carriage and private hire vehicles, unless an applicant makes a specific request to the Council for either a hackney carriage driver licence or a private hire vehicle driver licence.

Fit and proper person

3a.4 Licensed drivers provide a public service. The Council will not licence anyone to drive a hackney carriage or private hire vehicle unless it is satisfied that they meet all the criteria to be deemed a fit and proper person as set out in **Appendix I**.

3a.5 In considering the fit and proper person test, all applicants on initial application must complete an enhanced Disclosure and Barring Service (DBS) check and undergo a medical examination. Unless already subscribed to the DBS Update Service, all applicants on renewal must complete an enhanced Disclosure and Barring Service (DBS) check. On new and renewal applications the Council will also make additional enquiries through the national register for hackney carriage and private hire licence revocations, refusals and suspensions (or equivalent if this is replaced), its adults and children's social care teams, directly with West Mercia Police (and other relevant police forces, where appropriate), other relevant local authorities (particularly Telford & Wrekin Council and City of Wolverhampton Council) and any other appropriate organisation, agency or person in order to ensure the Council is in a position to make as accurate an assessment of the applicant's fitness to hold a licence as is reasonably practicable.

3a.6 With specific reference to existing licence holders, where there is any cause for a licence to be reviewed, the Council will make additional enquiries through the national register for hackney carriage and private hire licence revocations, refusals and suspensions (or equivalent if this is replaced), its adults and children's social care teams system (or equivalent if this is replaced), directly with West Mercia Police (and other relevant police forces, where appropriate), other relevant local authorities (particularly Telford & Wrekin Council and City of Wolverhampton Council) and any other appropriate organisation, agency or person in order to ensure the Council is in a position to make as accurate an assessment of the licence holders fitness to hold a licence as is reasonably practicable. Depending on the circumstances of the case, the Council may request the licence holder to consent to a further enhanced DBS check, the cost of which lies with the licence holder. Where a licence holder refuses to consent to a further check the Council will take this into consideration in determining their continuing fitness to hold a licence.

3a.7 Where an applicant or existing licence holder has had their licence refused, revoked or suspended the details will be recorded on the national register for hackney carriage and

private hire licence revocations, refusals and suspensions (or equivalent if this is replaced). Furthermore, where the Council receives a request for further information from another licensing authority, it must provide the reasons for refusal, revocation or suspension.

3a.8 When assessing the fitness of an applicant to hold a driver licence, the Council will consider the applicant's criminal history as a whole, together with all other relevant evidence, information and intelligence including their history (e.g. complaints and positive comments from the public, compliance with licence conditions and willingness to co-operate with licensing officers) whilst holding a licence from the Council or any other authority. Particular attention will be given to patterns of behaviour, irrespective of the timescale over which they have occurred, both in terms of proven criminal offences and other behaviour/conduct that may indicate the safety and welfare of the public may be at risk from the applicant.

3a.9 In addition, an important element associated with the fitness to hold a licence is the appearance (be clean and respectable in their dress and person and maintain a high standard of personal hygiene) and behaviour of a licensed driver. Consequently, the Council requires all licensed drivers to maintain a reasonable standard of appearance and behaviour when in contact and dealing with all persons, including but not limited to, other road users, pedestrians, customers, the general public, other licensed operators and drivers of hackney carriage and private hire vehicles, Council officers and elected members at all times. Applicants and licensed drivers must also co-operate with any reasonable request made by an authorised officer of the Council or any police officer.

3a.10 It must also be recognised that the Council will consider all criminal history, behaviour and conduct irrespective of whether the specific history, behaviour or conduct occurred whilst drivers were directly engaged in hackney carriage or private hire licensed work at the time or whether they occurred during the drivers' own personal time. The Council considers a person or individual who has a propensity to commit offences and/or demonstrate unacceptable conduct whilst not engaged in hackney carriage or private hire work to be equally as serious as offences and/or unacceptable conduct committed whilst engaged in hackney carriage or private hire work.

Criminal record disclosure

3a.11 As referred to above, hackney carriage and private hire vehicle drivers are required to undertake an enhanced criminal record disclosure (DBS check) and due to the nature of the occupation such drivers are deemed to be an exempt occupation under the provisions of the Rehabilitation of Offenders Act 1974 (by virtue of the amended Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975).

3a.12 The effect of this, in relation to hackney carriage and private hire drivers, is to render the Rehabilitation of Offenders Act 1974 inapplicable and therefore convictions are deemed never to be spent, unless they are considered a protected conviction or caution. Further information on protected convictions and cautions can be found in **Appendix I**. As a result, all convictions, including cautions, which are not protected will be taken into account when considering a person's suitability to hold a driver's licence. Consequently, applicants are required to provide details of all unprotected convictions and cautions, including driving endorsements (driving convictions) and disqualification periods relating to traffic offences.

3a.13 Although cautions are generally not as serious as convictions, ordinarily as a result of the circumstances under which they are offered, they do require an admission of guilt before they can be issued which is equivalent to a guilty plea on prosecution. Consequently, a caution is regarded in exactly the same way as a conviction. Fixed penalties, community

resolutions or similar sanctions will also be considered in the same way as a conviction on the basis that payment of a fixed penalty indicated an acceptance of guilt and a community resolution can only be imposed following an admission of guilt. As a result, each of these sanctions is a valuable indication as to an applicant's character and whether they are a fit and proper person to hold or be granted a licence.

3a.14 A criminal record does not automatically bar an applicant from holding a driver licence; however, it will be a significant factor when determining whether a licence ought to be granted or not. Where an applicant has previous criminal convictions, these will be considered in line with the guidance set out in **Appendix I.** However, the over-riding consideration will always be to ensure the safety and welfare of the public.

3a.15 Applicants who have spent three continuous months or more living outside the United Kingdom from the age of 18, prior to submitting an application, will be required to produce a certificate of good conduct or equivalent document (at their own cost) issued by the relevant Embassy or High Commission. The certificate must be authenticated, translated and sealed by the Embassy or High Commission. In the event that an applicant is not able to obtain a certificate of good conduct, they may submit a statutory declaration with regard to their conduct, which must be completed in the presence of a practising solicitor. The Council may contact the relevant Embassy, High Commission, solicitor or other appropriate body to verify any documents provided. Contact details for Embassies and High Commissions can be found from the Foreign, Commonwealth & Development Office (FCDO) on the GOV.UK website at https://www.gov.uk/government/world. The FCDO may be contacted for further assistance by telephone on 020 7008 5000, by email at fcdo.correspondence@fcdo.gov.uk or by post at the FCDO London Office, King Charles Street, London, SW1A 2AH.

3a.16 Applicants who have spent three continuous months or more living outside the United Kingdom, during the period of their licence, will be required to produce a certificate of good conduct or equivalent document (at their own cost). This certificate must be issued by the relevant Embassy or High Commission for the country or countries lived in during this period and meet the requirements as set out at 3a.15 above. It is recognised that some countries will not provide a certificate of good conduct unless the individual has been resident for six months or more. Where a relevant Embassy or High Commission refuse to issue a certificate of good conduct, applicants must provide written confirmation from the Embassy of any refusal to the Licensing Team.

Right to work

3a.17 The Immigration Act 2016 amended existing licensing requirements in the UK to prevent illegal working in the hackney carriage and private hire licensing trade. With effect from 1 December 2016, the provisions in the Immigration Act 2016 prohibit all licensing authorities across the UK from issuing a licence to anyone who is disqualified by reason of their immigration status.

3a.18 All applicants must provide evidence of their right to work in the UK in accordance with the Home Office requirements. For further information see: https://www.gov.uk/government/publications/licensing-authority-guide-to-right-to-work-checks.

HMRC tax check

3a.19 The Finance Bill 2021 introduced new tax check requirements for applicants for a hackney carriage/private hire drivers licence. For further information see:

https://www.gov.uk/guidance/complete-a-tax-check-for-a-taxi-private-hire-or-scrap-metal-licence.

3a.20 With effect from 4 April 2022, new applicants for a hackney carriage/private hire driver licence, if applying for a licence for the first time, will be required to read HMRC guidance on their responsibilities and will be required to confirm via the application process that this has been done.

3a.21 Applicants applying to renew a hackney carriage/private hire driver licence or new applicants that hold, or have held, a similar licence within the previous 12 months, will be subject to a tax check to demonstrate that they are registered for tax.

Non-conviction information

3a.22 In addition to conviction/caution information, applicants are expected to provide details, within 48 hours of all warnings, driving endorsements (driving convictions)/disqualification periods relating to traffic offences, fixed penalties, penalty charge notices, community resolutions, non-molestation orders and any other similar sanctions, together with any charges or arrests (including any from outside the UK) that they are the subject of in connection with criminal offences, whether or not actually charged with the offence, and details of any allegations of involvement in criminal activity or where they have been questioned in connection with any alleged criminal activity or inappropriate/unacceptable behaviour or any other relevant pending matter.

3a.23 Where an applicant is the subject of an outstanding charge or summons, their application may continue to be processed; however, depending on the circumstances, it is unlikely that a decision on the application will be made until the conclusion of the criminal proceedings. Where the outstanding charge or summons involves a serious offence and/or the individual's offending history and behaviour/conduct indicates a pattern of unlawful or unacceptable behaviour/character traits, then the application is likely to be refused.

3a.24 Where there is evidence/information that an applicant has been arrested or charged but not convicted of offences and the nature of this evidence/information suggests the applicant may not be a fit and proper person, the Council will give serious consideration to refusing an application or revoking an existing licence.

Period of licence

3a.25 Driver licences will be issued for a period of three years or for a lesser period as the Council deems appropriate in the circumstances of the case.

3a.26 Licences will not be issued for a period that exceeds the permission given by the Home Office to live and work in the UK.

Application process

3a.27 The application form must be fully completed and include all relevant information, supporting documentation and appropriate fee.

3a.28 The full fee for the licence is payable at the time the application is submitted. For new applicants this includes the cost of the DBS check, DVLA check, the Council's hackney carriage and private hire drivers and operators safeguarding and disability awareness course, the initial driver assessment and the initial knowledge test. Where a new applicant

has subscribed to the DBS Update Service and able to provide a DBS certificate that meets the Council's requirements as set out at Part 3 – Licensable Activities, paragraph 3.6, the fee for the licence will not include the cost of the DBS check. For renewal applicants this includes the cost of the DVLA check and the Council's hackney carriage and private hire drivers and operators safeguarding and disability awareness course.

3a.29 If any part of the application is incomplete, or the fee is not paid, the application will not be processed until such a time as all the information/documentation is provided. If the applicant fails to provide all the information to complete the application, the application will be rejected.

3a.30 Once an application has been accepted by the Licensing Team as a valid application the application process must be completed within 6 months unless prevented from doing so by matters that are outside the applicant's control, e.g., external delays in the DBS process. When an application is not completed within this timescale the application will be referred to the Licensing Panel for determination where an officer with delegated authority will consider each case on its own individual merits and will determine what action is appropriate and proportionate to the circumstances of the case.

New applications

3a.31 All new applicants must have held a full DVLA category B or European Economic Area (EEA) driving licence or a driving licence as recognised by The Road Traffic Act 1988 (section 108) or The Driving Licence (Exchangeable Licences) Order 1999 for at least 3 years at the time of application. This includes Northern Ireland, Gibraltar, Andorra, Australia, Barbados, British Virgin Islands, Republic of Cyprus, The Falkland Islands, The Faroe Islands, Guernsey, Hong Kong, Isle of Man, Japan, Jersey, Republic of Korea, Malta, Monaco, New Zealand, Singapore, Switzerland and Zimbabwe licences. The 3-year period is calculated from the date of issue of the full driving licence.

3a.32 In addition, applicants must:

- Submit a completed application form, which includes five-year address history form and DVLA mandate form
- Pay the appropriate licence fee
- Provide a passport sized photograph, taken within the last three months, which shows a true likeness to the applicant
- Provide evidence of their right to work in the UK in accordance with the Home Office requirements (for additional information see: https://www.gov.uk/government/publications/licensing-authority-guide-to-right-to-work-checks)
- Have an enhanced DBS certificate. On initial application, the Council will accept an Enhanced DBS disclosure certificate, issued as part of an application made through a separate organisation, providing the certificate meets the requirements set out in Part 3, paragraph 3.6 of the Policy
- Provide the Council with the DBS certificate within 7 days of the date of receipt
- Provide evidence of a GCSE English Language qualification at Grade 4/C or equivalent, or a Level 2 functional skills qualification in English, or a certificate of completion of an English screening assessment specific to hackney carriage and private hire drivers
- Complete the Council's hackney carriage and private hire drivers and operators safeguarding and disability awareness course
- Pass the Council's knowledge test

- Pass the road safety and driving ability test (driver assessment) or alternatively hold a current advanced motorist qualification undertaken in a motor car or minibus, and
- Submit a Group 2 medical report and certificate

3a.33 Once an application has been validated and accepted, the Council will:

- Issue appointments for completing a Disclosure and Barring Service (DBS) check, right to work check, completing the driver awareness course which includes the knowledge test, undertaking the driver assessment and completing the safeguarding and disability awareness course
- Make enquiries through the Council's adults and children's social care teams, West Mercia Police (or other relevant force), other local authorities and any other organisation, agency or person that the Council has deemed appropriate to seek information from
- Complete an online DVLA driving licence check
- Make enquiries through the national register for hackney carriage and private hire licence revocations, refusals and suspensions (or equivalent if this is replaced)
- Where applicable, complete an online DBS Update Service check
- Where applicable, complete an online tax registration check

3a.34 It is a requirement of the Council's application process that the applicant must subscribe to the DBS Update Service within 30 calendar days of the issue date as stated on the DBS certificate.

3a.35 Providing Officers are satisfied that the applicant is a 'fit and proper' person, applying the Council's policy, a licence will be granted. In all other cases, the application will be referred to the Licensing Panel for determination. Each application will be decided on its merits. However, there is a presumption that unless an applicant can demonstrate exceptional circumstances the application will be refused. Whilst it is neither possible nor prudent to draw up a list of what might amount to exceptional circumstances, an applicant who claims that exceptional circumstances exist will be expected to be able to satisfy the Council that it would not frustrate the purposes of this Policy or compromise public safety if the licence were granted. The applicant will be notified in writing if their application is to be determined at a meeting of the Licensing Panel.

Renewal of a licence

3a.36 To allow continuous driving, a renewal application form must be received by the Council at least 20 working days prior to the expiry date of the original licence (unless there is satisfactory evidence of exceptional circumstances that are accepted by the Council) to allow the Council sufficient time to process the renewal application and for the applicant to complete the Council's hackney carriage and private hire drivers and operators safeguarding and disability awareness course. It is the Council's intention to process all valid renewal applications within 20 working days; hence, where applicants fail to submit their renewal application within this timescale, the risk that their licence will expire increases. Once a licence expires, is revoked (subject to a statutory appeal process) or surrendered, it ceases to exist and applicants would not be permitted to drive a hackney carriage or private hire vehicle in these circumstances.

3a.37 Once a licence ceases to exist a renewal application will not be accepted by the Council (unless there is satisfactory evidence of exceptional circumstances that are accepted by the Council) and the applicant must submit a new hackney carriage/private hire driver licence application which will be processed in accordance with the Council's new application process.

Renewal applications process

3a.38 The application form must be fully completed and include all relevant information, supporting documentation and appropriate fee.

3a.39 The full fee for the licence is payable at the time the application is submitted.

3a.40 If any part of the application form is incomplete or the relevant information or supporting documentation is not provided, the applicant will be requested to provide the missing information/documentation and informed that the application will not be processed until such time as all the information/documentation is provided. If the applicant fails to provide all the information to complete the application, the application will be rejected.

3a.41 Once an application has been accepted by the Licensing Team as a valid application the application process must be completed within 6 months unless prevented from doing so by matters that are outside the applicant's control. When an application is not completed within this timescale the application will be referred to the Licensing Panel for determination where an officer with delegated authority will consider each case on its own individual merits and will determine what action is appropriate and proportionate to the circumstances of the case.

3a.42 On renewal of an existing licence, applicants must:

- Submit a completed application form, which includes a five-year address history form, a DVLA mandate form and a completed DBS Update Service consent form
- Provide a copy of the DBS certificate linked to their DBS Update Service subscription and shows it was completed under Other Workforce, Taxi/Private Hire Driver
- Pay the appropriate licence fee
- Provide a passport sized photograph, taken within the last three months, which shows a true likeness to the applicant
- Complete the Council's hackney carriage and private hire drivers and operators safeguarding and disability awareness course before an application is determined
- Where required, submit a Group 2 medical report and certificate (refer to paragraphs 3a.70 to 3a.78 below to determine whether a medical examination is/is not required)

3a.43 Once an application has been validated and accepted, the Council will:

- Issue appointments for completing the safeguarding and disability awareness course, and where needed, issue an appointment for completing a right to work check
- Make enquiries through the Council's adults and children's social care teams, West Mercia Police (or other relevant force), other local authorities and any other organisation, agency or person that the Council has deemed appropriate to seek information from
- Complete an online DVLA driving licence check
- Complete an online DBS Update Service check
- Make enquiries through the national register for hackney carriage and private hire licence revocations, refusals and suspensions (or equivalent if this is replaced)
- Complete an online tax registration check

3a.44 It is a requirement of the Council's application process that the applicant must subscribe to the DBS Update Service within 30 calendar days of the issue date as stated on the DBS certificate.

3a.45 Providing the above are satisfied, the Council will renew the licence subject to the receipt of a satisfactory enhanced DBS certificate, satisfactory DVLA report and satisfactory reports through Council's adults and children's social care teams, West Mercia Police (or other relevant force), other local authorities and any other organisation, agency or person that the Council has deemed appropriate to seek information from. It is the responsibility of the applicant to provide the Council with the DBS certificate within 7 days of the date of receipt. Failure to do so will result in the driver's licence being suspended or revoked.

Arranging DBS, knowledge test, safeguarding and disability awareness course and driver assessment

3a.46 Appointments are made by the Council's licensing team with the applicant to complete a DBS application form, knowledge test, safeguarding and disability awareness course and driver assessment.

3a.47 Once an appointment has been allocated, the applicant must give 24 hours notice to cancel an appointment otherwise they will be required to pay a missed appointment fee before any further appointments are made.

Language skills

3a.48 Applicants must be able to converse orally and in writing in English to a standard that would be reasonably expected of a person undertaking a role as a hackney carriage or private hire driver. A lack of language proficiency could impact on a driver's ability to communicate during an emergency and other challenging situations, and to understand written documents, such as policies and guidance, including those relating to the protection of children, young people and adults (including those with care and support needs). Drivers should be able to:

- Confidently read and understand the relevant policies and guidance to ensure they are fully aware of their duties and responsibilities
- Converse with passengers to demonstrate an understanding of the desired destination, an estimation of the time taken to get there and other common passenger requests
- Provide a customer with the correct change from a note or notes of a higher value than the requested fare, and
- Provide a legibly written receipt upon request

3a.49 Applicants are required to demonstrate their language proficiency by providing evidence of a suitable qualification, either a GCSE English Language qualification at Grade 4/C or equivalent, or a Level 2 functional skills qualification in English, or a certificate of completion of an English screening assessment specific to hackney carriage and private hire drivers.

3a.50 The holder of a driver licence may be required to satisfactorily undertake an English screening assessment at the discretion/request of an officer with delegated authority (at a meeting of the Licensing Panel) or the Licensing and Safety Sub-Committee, as set out in Part 2, paragraph 2.14 of the Policy. An applicant is responsible for paying the fee for any English screening assessment.

3a.51 Failure to provide evidence of English language proficiency will permit the Council to refuse to grant or renew a driver licence or to revoke or suspend an existing licence.

Hackney carriage and private hire drivers and operators safeguarding and disability awareness course

3a.52 Drivers must complete the Council's hackney carriage and private hire drivers and operators safeguarding and disability awareness course. This course is aimed raising a driver's awareness of safeguarding responsibilities, including exploitation (criminal and sexual exploitation), county lines, hate crime, modern day slavery and trafficking, the role of an applicant in enabling people with disabilities to be independent, the identification and role of assistance dogs, the legal obligations towards passengers with disabilities and the consequences of not complying with them, a drivers responsibility during emergencies, and how to respond to emergency situations including the importance of promptly contacting the emergency services where there is an immediate risk to life or serious harm. Failure to complete this training will permit the Council to refuse to grant or to refuse to renew a driver's licence.

3a.53 Where an applicant arrives late and the safeguarding and disability awareness course has started, the applicant will be refused admission to the course. The Council will deem that the applicant has forfeited the course, and the applicant will be required to take a subsequent course and pay the appropriate fee, unless the applicant is able to prove their late arrival was due to circumstances outside of their control. This is subject to a manager who has responsibility for licensing permitting a further course where the circumstances are considered appropriate.

3a.54 The charge for the initial safeguarding and disability awareness course is included in the licence fee. Once an appointment has been allocated for the course, the applicant must give 24 hours notice to cancel an appointment otherwise they will be required to pay the course fee.

Driver awareness course which includes the knowledge test

3a.55 Applicants for a licence to drive a hackney carriage or private hire vehicle will be required to take and pass the Council's knowledge test. This test is aimed at assessing an applicant's knowledge of the Highway Code, the Council's Hackney Carriage and Private Hire Licensing Policy 2027-2031, equality and disability awareness, numeracy, writing a receipt and general geography of the Council's administrative area e.g., roads, in order to satisfy the Council that the applicant is fit and proper to hold a hackney carriage/private hire driver licence. This test will be conducted in English. Details of the knowledge test requirements are provided on the Council's website and at the time the knowledge test booking is confirmed.

3a.56 Normal examination conditions will apply during the knowledge test. Any person found to be using unfair means during the test will be excluded from the test and will be required to take a fresh test and pay the appropriate fee. This may also affect their fitness and propriety to be granted a licence.

3a.57 Where an applicant arrives late and the knowledge test has started, the applicant will be refused admission to the course. The Council will deem that the applicant has forfeited the test, and the applicant will be required to take a subsequent test and pay the appropriate fee, unless the applicant is able to prove their late arrival was due to circumstances outside of their control. This is subject to a manager who has responsibility for licensing permitting a further test or tests where the circumstances are considered appropriate.

3a.58 The charge for the initial knowledge test is included in the licence fee. Where an applicant fails the knowledge test there is an additional fee for every subsequent test and every missed test.

3a.59 Once an appointment has been allocated for the test, the applicant must give 24 hours notice to cancel an appointment otherwise they will be required to pay the test fee. In such circumstances the Council will deem that the applicant has failed the test.

3a.60 An applicant is permitted to take the knowledge test up to a maximum of 3 times per application, subject to the additional re-test fees being paid. Where an applicant fails the knowledge test three times, the application will be referred to the Licensing Panel where an officer with delegated authority may permit a further test or tests where an applicant can demonstrate that exceptional circumstances apply.

3a.61 The holder of a driver licence may be required to satisfactorily undertake a further knowledge test or tests at the discretion/request of an officer with delegated authority (at a meeting of the Licensing Panel) or the Licensing and Safety Sub-Committee, as set out in Part 2, paragraph 2.14 of the Policy. An applicant is responsible for paying the fee for any subsequent knowledge tests.

3a.62 Failure to submit to or pass any knowledge test will permit the Council to refuse to grant or renew a driver licence or to revoke or suspend an existing licence.

Road safety and ability test (driver assessment)

3a.63 Applicants for a licence to drive a hackney carriage or private hire vehicle will be required to take and pass the Council's driver assessment. This assessment aims to ensure drivers demonstrate a high degree of road safety awareness and excellent driving ability. Details of the assessment requirements are provided at the time the assessment booking is confirmed.

NB Applicants who hold a current advanced motorist qualification undertaken in a motor car or minibus may not be required to take and pass the Council's driver assessment.

3a.64 Where an applicant arrives late for the Council's driver assessment, the applicant will be turned away. The Council will deem that the applicant has forfeited the test, and the applicant will be required to take a subsequent test and pay the appropriate fee, unless the applicant is able to prove their late arrival was due to circumstances outside of their control. This is subject to a manager who has responsibility for licensing permitting a further test or tests where the circumstances are considered appropriate.

3a.65 The charge for the initial driver assessment is included in the licence fee. Where an applicant fails the assessment there is an additional fee for every subsequent assessment and every missed assessment.

3a.66 Once an appointment has been allocated for the assessment, the applicant must give 24 hours notice to cancel an appointment otherwise they will be required to pay the assessment fee. In such circumstances the Council will deem that the applicant has failed the assessment.

3a.67 An applicant is permitted to take the assessment up to a maximum of 3 times per application, subject to the additional re-assessment fees being paid. Where an applicant fails the driver assessment 3 times, the application will be referred to the Licensing Panel

where an officer with delegated authority may permit a further assessment or assessments where an applicant can demonstrate that exceptional circumstances apply.

3a.68 The holder of a driver licence may be required to satisfactorily undertake a further driver assessment or assessments at the discretion/request of an officer with delegated authority (at a meeting of the Licensing Panel) or the Licensing and Safety Sub-Committee, as set out in Part 2, paragraph 2.14 of the Policy. An applicant is responsible for paying the fee for any subsequent driver assessments.

3a.69 Failure to pass any driver assessment will permit the Council to refuse to grant or renew a driver licence or to revoke or suspend an existing licence.

Medical requirements

3a.70 The Council is permitted to satisfy itself that an applicant for a licence is mentally and physically fit and remains so during the currency of any licence. Consequently, all applicants for a hackney carriage or private hire vehicle driver's licence are required to undertake a medical examination on initial application, at defined intervals thereafter and at any other such time as the Council requires to ensure their fitness to drive. The standard required is the 'Group 2 Entitlement'. No grandfather rights are given by the Council in relation to medical matters. The standards required are set out in the DVLA publication 'Assessing fitness to drive – a guide for medical professionals' and can be found on the GOV.UK website at https://www.gov.uk/government/publications/assessing-fitness-to-drive-a-guide-for-medical-professionals.

3a.71 Applicants must undertake the medical examination and provide a satisfactory medical report and certificate before a licence is issued and then every 5 years from the age of 45, or sooner if stipulated by the examining doctor.

3a.72 Applicants over the age of 65 or who attain the age of 65 during a licensed period must undertake a medical examination and provide a satisfactory medical report and certificate annually.

3a.73 Applicants who have a condition identified within the DVLA publication 'Assessing fitness to drive – a guide for medical professionals' as requiring an annual review, will be required to provide a satisfactory medical report and certificate on an annual basis.

3a.74 In particular, applicants must consider the medical conditions listed in the DVLA publication 'Assessing fitness to drive – a guide for medical professionals' as the Council may refuse to grant an application or revoke an existing licence where an applicant is unable to meet the nationally recommended guidelines in respect of the listed medical conditions.

3a.75 If once licensed, the driver's medical circumstances change during the currency of the licence, the driver must inform the Council within 7 days. The Council may require the driver to immediately undertake a further medical examination and provide an approved medical report and certificate confirming the outcome of this examination and the driver's fitness (or otherwise) to continue as a licensed driver. An applicant is responsible for paying the fee for any subsequent medical examinations.

3a.76 Should an authorised officer of the Council have reason to believe that a licensed hackney carriage or private hire vehicle driver has a medical condition that renders them unfit to drive, this includes but is not restricted to alcohol or drug misuse, a further independent medical examination will be requested, to a standard set by the Council, at a cost to the applicant.

3a.77 All medical examinations must be carried out by the applicant's registered General Practitioner (GP) or any registered GP/Medical Practitioner who confirms in writing that they have seen the applicant's full medical records. The GP must be qualified and registered with the General Medical Council. The Council reserves the right to refer any medical matters to its own appointed Medical Officer who will review the medical fitness (or otherwise) of a driver to continue driving. The decision as to whether the driver can continue as a licensed driver will lie with an officer with delegated authority or the Licensing and Safety Sub-Committee (subject to the statutory right of appeal).

3a.78 The Council will not grant or renew, as the case may be, any driver licence unless the foregoing provisions are complied with and the driver can demonstrate that they are medically fit to hold a driver licence.

3a.79 With respect to current licence holders, if it is deemed necessary to do so, a licence may be revoked or suspended in the interests of protecting the public until further medical examination(s) has/have been carried out or if the licence holder is unable to demonstrate that they are medically fit to hold a driver licence.

Medical exemption applications[9]

3a.80 Medical exemptions from the mobility assistance duties under Section 164 and 165 of the Equality Act 2010, or from the duties on drivers of a taxi or private hire vehicle to carry assistance dogs may apply to new applicants or licensed drivers who suffer from certain medical conditions. Where this is the case, the applicant/licensed driver must apply for an exemption from the requirements under the Equality Act 2010.

3a.81 Applications for a medical exemption must be on the approved Shropshire Council medical exemption application form and must include sufficient proof that an applicant has a history of a specific medical problem(s) that meets the requirements for a medical exemption to be granted. The medical exemption application must be completed by an independent consultant or other specialist medical practitioner, who are not open to bias because of a commercial or personal connection to the applicant, who can provide up to date specialist medical information such as full diagnosis, details of ongoing investigations etc. and who can confirm in writing that they have seen the applicant's full medical records. The consultant or specialist medical practitioner must be qualified and registered with the General Medical Council.

3a.82 The Council reserves the right to refer any medical matters to its own appointed Medical Officer who will review the medical fitness (or otherwise) of a driver to continue driving.

3a.83 The decision as to whether an exemption from the duties is granted will lie with an officer with delegated authority (at a meeting of the Licensing Panel) or the Licensing and Safety Sub-Committee (subject to the statutory right of appeal) who may resolve to grant the exemption for a limited or unlimited period or to refuse the exemption.

3a.84 The Council reserves the right to refuse to grant an exemption if sufficient medical proof is not provided and it is deemed appropriate to do so.

DVLA and other relevant driving licences

3a.85 A person applying for a driver licence must have held a full DVLA category B or European Economic Area (EEA) driving licence or a driving licence as recognised by The Road

[9] https://www.gov.uk/government/publications/access-to-taxis-and-private-hire-vehicles-for-disabled-users

Traffic Act 1988 (section 108) or The Driving Licence (Exchangeable Licences) Order 1999 for at least 3 years at the time of application. This includes Northern Ireland, Gibraltar, Andorra, Australia, Barbados, British Virgin Islands, Republic of Cyprus, The Falkland Islands, The Faroe Islands, Guernsey, Hong Kong, Isle of Man, Japan, Jersey, Republic of Korea, Malta, Monaco, New Zealand, Singapore, Switzerland and Zimbabwe licences. The 3-year period is calculated from the date of issue of the full driving licence.

3a.86 Throughout the currency of the licence, the driver must possess a full driving licence in accordance with the above requirements.

3a.87 Applicants are required to produce the original of their driving licence. Copies will not be accepted. Where a driving licence has a photo card and counter-part paper licence, applicants must produce both parts and they must be of the same issue number.

3a.88 All applicants holding driving licences issued by agencies other than the DVLA must produce a certificate to show a driving record from the country of issue.

3a.89 As the Council is particularly concerned to ensure the safety of the travelling public, evidence that a full driving licence is held by an applicant or an existing licence holder in accordance with the above requirements is not necessarily sufficient evidence that a driver is a fit and proper person for the purposes of this Policy.

Working time directive

3a.90 Drivers are responsible for ensuring they do not work excessively long hours and put the safety of themselves and their passengers at risk. The Council strongly recommends that drivers monitor the hours worked and ensure adequate breaks and rest periods are taken. To this end, drivers must have regard to the Working Time Regulations on driver hours and working time.

Passengers with Disabilities: Duties of drivers

3a.91 Section 164A of the Equality Act 2010 imposes duties on the driver of a hackney carriage or private hire vehicle that has been hired by a person with disabilities or by another person who wishes to be accompanied by a person with disabilities, where:

- The hackney carriage or private hire vehicle is not included on a list of designated wheelchair accessible vehicles and where the passenger has a disability including wheelchair users (with the assumption that the wheelchair user transfers to a passenger seat to travel)
- The hackney carriage or private hire vehicle is included on the list of designated wheelchair accessible vehicles and where the passenger has a disability but is not in a wheelchair

3a.92 Section 166 of the Equality Act 2010 allows for drivers to apply for an exemption from the mobility assistance duties listed under section 164A of the Act on medical grounds or because the driver's physical condition makes it impossible or unreasonably difficult for them to comply with those duties. Further information can be found at paragraphs 3a.80 – 3a.84 of this section.

Passengers with Disabilities: Assistance to identify and find vehicle

3a.93 Section 165A of the Equality Act 2010 imposes duties on the driver of a pre-booked hackney carriage or private hire vehicle that has been hired by or for a person with

disabilities or by another person who wishes to be accompanied by a person with disabilities, where:

- The driver has been made aware before the start of the journey that the passenger requires assistance to identify or find their vehicle.

~~Disabled~~ Passengers in wheelchairs: Duties of drivers of designated wheelchair accessible vehicles

3a.94 Section 165 of the Equality Act 2010 imposes legal duties on the driver of a designated hackney carriage and private hire vehicle, which has been hired by or for a person with disabilities using a wheelchair, or by another person who wishes to be accompanied by a person with disabilities who is in a wheelchair.

3a.95 Section 166 of the Equality Act 2010 allows for drivers to apply for an exemption from the mobility assistance duties listed under section 165 of the Act on medical grounds or because the driver's physical condition makes it impossible or unreasonably difficult for them to comply with those duties. Further information can be found at paragraphs 3a.80–3a.84 of this section.

List of designated wheelchair accessible vehicles

3a.96 Section 167 of the Equality Act 2010 requires all local authorities to maintain a list of designated wheelchair accessible vehicles.

3a.97 All wheelchair accessible vehicles must be capable of transporting the user of a "reference wheelchair" and will be included within the Council's list of designated vehicles. Specifications for a "reference wheelchair" can be found at **Appendix J**.

3a.98 Proprietors have a responsibility to ensure that any Shropshire Council licensed driver who drives one of their wheelchair accessible vehicles is made aware of their duties in respect of carrying persons using wheelchairs, when driving a designated wheelchair accessible vehicle.

3a.99 Failure to comply with the duties listed under section 165 of the Equality Act 2010 is a criminal offence.

Production of records/documents

3a.100 Any records required to be retained in accordance with the licence and licence conditions must be produced, on request, to any authorised officer of the Council or to any police officer.

Licence conditions

3a.101 The applicable conditions with which a driver holding a hackney carriage or private hire driver licence must comply are set out at **Appendix B**. These conditions are in addition to any matters prescribed by statute, byelaws and set out within the main body of the Policy.

Main legal requirements

3a.102 Paragraphs 3a.103 to 3a.118 is not exhaustive and unless otherwise specified please refer to the Town Police Clauses Act 1847 and the Local Government

(Miscellaneous Provisions) Act 1976 for a full list of legal requirements, offences and the maximum penalty upon conviction.

3a.103 Production of documents

The driver must, on request, produce for inspection their driver's licence forthwith or within 5 days to either the Council's offices or a police station.

3a.104 Driver's badges and licences

The badge must be worn by the driver at all times when driving the licensed vehicle and the badge must be plainly and distinctly visible. This includes the requirement to display the duplicate driver's badge on the inside of the windscreen of the vehicle so as to be plainly visible at all times to fare paying passengers.

3a.105 All drivers of vehicles licensed for hackney purposes of which they are not the proprietor, must before commencing driving that vehicle, deposit a copy of their paper driver's licence with the proprietor for retention by him until such time as the driver ceases to be permitted or employed to drive the vehicle or any other vehicle of his.

3a.106 On ceasing to be a licensed driver through suspension, revocation, refusal to renew or expiry of the driver's licence, the licence holder must return the badge and licence to the Council within 7 days (or earlier if the Council so demands) of the suspension, revocation, refusal to renew or expiry becoming effective.

3a.107 Journeys

Drivers must not unnecessarily prolong a journey, in distance or in time.

3a.108 Vehicles permitted to be driven for private hire and hackney carriage purposes

Only vehicles licensed by the Council are permitted to be used for hackney carriage and private hire purposes, as specified by the Council's vehicle licence.

3a.109 Driving licensed vehicles

Only drivers who are licensed by the Council that licensed the vehicle are permitted to drive the licensed vehicle. The only exceptions to this are when the vehicle is undergoing an MOT test and needs to be driven by the MOT examiner or it is being driven by a vehicle tester[10] for the purposes of a vehicle service, recovery or maintenance or otherwise permitted by legislation.

3a.110 Touting

A proprietor or driver of a hackney carriage, when standing or plying for hire, must not call out or otherwise importune any person to hire such vehicle and must not make use of the services of any other person for this purpose. This is an offence under the Criminal Justice and Public Order Act 1994, section 167.

3a.111 Plying for hire

Drivers of private hire vehicles must NOT 'ply for hire'. The Council's interpretation of 'plying for hire' is set out at **Appendix H** and is based on relevant legislation and case law.

3a.112 Transporting children

As a minimum, drivers must comply with the requirements set out in the table below, for further guidance see https://www.gov.uk/child-car-seats-the-rules/when-a-child-can-travel-without-a-car-seat.

[10] As defined in section 62 (1) of the Vehicle Excise and Registration Act 1994

	Front seat	**Rear seat**	**Who is responsible?**
Child up to 3 years	Correct child restraints must be used	Correct child restraint must be used. If a restraint is not available in a licensed hackney carriage or private hire vehicle, the child may travel unrestrained.	Driver**
Child from 3rd birthday up to 135 cm in height or 12th birthday, whichever they reach first	Correct child restraints must be used	Where seat belts are fitted, the correct child restraint must be used. The child must use adult belt if the correct child restraint is not available as follows: in a licensed hackney carriage or private hire vehicle; or for a short distance in an unexpected necessity; or two occupied child restraints prevent fitting of a third. A child 3 years and over may travel unrestrained in the rear seat of a vehicle if seat belts are not fitted in the rear.	Driver**
Child over 135 cm in height or 12 or 13 years old	Seat belt must be worn if available*	Seat belt must be worn if available.	Driver**
Passengers aged 14 years and over	Seat belt must be worn if available*	Seat belt must be worn if available.	Passenger

*Vehicles built before 1965 are not required to have fitted seatbelts.

**Drivers must inform parents/carers that the decision to permit children to travel in the vehicle, without the correctly sized seat restraints (as permitted by relevant legislation) and with the obvious risks associated with such an action, remains with the parent/carer responsible for the children and not with the driver of the vehicle.

3a.113 Smoking in vehicles

Drivers must not, at any time, smoke or permit passengers to smoke in their vehicle as required by the Health Act 2006 and the Smoke-Free (Exemptions and Vehicles) Regulations 2007 (this includes electronic cigarettes and vaping).

3a.114 Refusing to convey passengers

A driver of a hackney carriage who is waiting at a rank/stand must not refuse to carry a passenger without a reasonable excuse.

3a.115 Overcharging

Drivers of hackney carriages must not charge more than is permitted under the current table of fares. Drivers undertaking journeys ending outside the Council's area and in

respect of which no fare and no rate of fare was agreed before the journey commenced must not charge more than that indicated on the taximeter or more than the current table of fares allows.

3a.116 Persons riding without consent

Drivers of hackney carriages must not permit persons to be carried in the vehicle unless they have the consent from the person who is actually hiring the vehicle.

3a.117 Unlicensed drivers

Licensed drivers of hackney carriages must not allow any persons to drive a hackney carriage unless they are authorised to do so by the proprietor and hold an appropriate licence to do so.

3a.118 Obstruction

Hackney carriage drivers must not obstruct other hackney carriage drivers/vehicles from undertaking their normal hiring and driving activities.

3b. HACKNEY CARRIAGES

Summary

3b.1 Hackney carriages are licensed in accordance with the provisions contained in the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976.

3b.2 Commonly known as 'taxis', hackney carriages are licensed to stand for hire at a taxi rank or can be hailed in the street in the administrative area of the council with which it is licensed and may also undertake pre-booked journeys anywhere in the country.

3b.3 The Council does not limit the number of hackney carriage licences that it will issue.

3b.4 The Council will not licence a vehicle for hire and reward which is licensed by another local authority or allow or permit a hackney carriage identification plate issued by another authority to be displayed on the vehicle.

3b.5 All hackney carriages, whilst plying for hire, must be immediately capable of providing for at least one wheelchair.

3b.6 All hackney carriages are required to be wheelchair accessible and capable of transporting the user of a "reference wheelchair". Proprietors are encouraged to consider wheelchair accessible vehicles which are capable of carrying wheelchairs larger than the reference size. Specifications for a "reference wheelchair" can be found at **Appendix J.**

Intended use of vehicles

3b.7 The Council operates an 'Intended Use and Licensing of Hackney Carriages Policy'. All applicants are required to pay particular attention to this policy, in particular if your address falls outside the administrative area of Shropshire Council; full details are set out at **Appendix K**.

Applicant

3b.8 The applicant for a vehicle licence must be the person who is the legal owner of the vehicle concerned and entitled to have ownership of the vehicle[11].

Fit and proper person

3b.9 The proprietor of a licensed hackney carriage provides a public service that impacts on public safety. On this basis, the Council will not licence a vehicle as a hackney carriage unless it is satisfied that the proprietor of the vehicle meets all the criteria to be deemed a fit and proper person as set out in **Appendix I**.

Proprietors who apply for a hackney carriage licence and who hold a valid Shropshire Council hackney carriage/private hire driver licence or a valid Shropshire Council private hire operator licence

3b.10 The Council adopts the same principles when determining whether an applicant is a fit and proper person to hold a vehicle licence as it does to persons applying for a driver licence.

[11] There is no legal definition of proprietor within relevant legislation; however, the Council has taken the view that proprietor means the legal owner based on common usage of the term, e.g. where the vehicle is on a long-term lease agreement, a copy of the agreement must be provided with an application.

In this respect, applicants are required to have due regard, as appropriate, to the requirements and information set out at paragraphs 3a.4 to 3a.24 of the Policy.

Proprietors who apply for a hackney carriage licence and who do not hold a valid Shropshire Council hackney carriage/private hire driver licence or a valid Shropshire Council private hire operator licence

3b.11 In considering the fit and proper person test, all applicants on initial application must provide a basic criminal record disclosure from the Disclosure and Barring Service that has been issued by the Disclosure and Barring Service within the previous three months of the date that the application is received by the Council. All applicants on renewal must provide a basic criminal record disclosure that has been issued by the Disclosure and Barring Service within the previous 12 months of the date that the application is received by the Council. On new and renewal applications the Council will also make additional enquiries through its adults and children's social care teams, directly with West Mercia Police (and other relevant police forces, where appropriate), other relevant local authorities (particularly Telford & Wrekin Council and City of Wolverhampton Council) and any other appropriate organisation, agency or person in order to ensure the Council is in a position to make as accurate an assessment of the applicant's fitness to hold a licence as is reasonably practicable.

3b.12 With specific reference to existing licence holders, where there is any cause for a licence to be reviewed, the Council will make additional enquiries through its adults and children's social care teams, directly with West Mercia Police (and other relevant police forces, where appropriate), other relevant local authorities (particularly Telford & Wrekin Council and City of Wolverhampton Council) and any other appropriate organisation, agency or person in order to ensure the Council is in a position to make as accurate an assessment of the licence holders fitness to hold a licence as is reasonably practicable. Depending on the circumstances of the case, the Council may request the licence holder to consent to a further basic criminal record disclosure, the cost of which lies with the licence holder. Where a licence holder refuses to consent to a further check the Council will take this into consideration in determining their continuing fitness to hold a licence.

3b.13 When assessing the fitness of an applicant to hold a hackney carriage proprietors licence, the Council will consider the applicant's criminal history as a whole, together with all other relevant evidence, information and intelligence including their history (e.g. complaints and positive comments from the public, compliance with licence conditions and willingness to co-operate with licensing officers) whilst holding a licence from the Council or any other authority. Particular attention will be given to patterns of behaviour, irrespective of the timescale over which they have occurred, both in terms of proven criminal offences and other behaviour/conduct that may indicate the safety and welfare of the public may be at risk from the applicant.

3b.14 In addition, an important element associated with the fitness to hold a licence is the appearance and behaviour of an applicant. Consequently, the Council requires all applicants to maintain a reasonable standard of appearance and behaviour when in contact and dealing with all persons, including but not limited to, other road users, pedestrians, customers, the general public, other licensed operators and drivers of hackney carriage and private hire vehicles, Council officers and elected members at all times. Applicants must also co-operate with any reasonable request made by an authorised officer of the Council or any police officer.

3b.15 It must also be recognised that the Council will consider all relevant criminal history, behaviour and conduct irrespective of whether the specific history, behaviour or conduct

occurred whilst applicants were directly engaged in hackney carriage or private hire licensed work at the time or whether they occurred during the applicants' own personal time. The Council considers a person or individual who has a propensity to commit offences and/or demonstrate unacceptable conduct whilst not engaged in hackney carriage or private hire work to be equally as serious as offences and/or unacceptable conduct committed whilst engaged in hackney carriage or private hire work.

Criminal record disclosure

3b.16 All unspent convictions, including cautions, will be taken into account when considering a person's suitability to hold a licence. Consequently, applicants are required to provide details of all unspent convictions and cautions, including driving endorsements (driving convictions) and disqualification periods relating to traffic offences.

3b.17 Although cautions are generally not as serious as convictions, ordinarily as a result of the circumstances under which they are offered, they do require an admission of guilt before they can be issued which is equivalent to a guilty plea on prosecution. Consequently, a caution is regarded in exactly the same way as a conviction. Fixed penalties, community resolutions or similar sanctions will also be considered in the same way as a conviction on the basis that payment of a fixed penalty indicated an acceptance of guilt and a community resolution can only be imposed following an admission of guilt. As a result, each of these sanctions is a valuable indication as to an applicant's character and whether they are a fit and proper person to hold or be granted a licence.

3b.18 A criminal record does not automatically bar an applicant from holding a licence; however, it will be a significant factor when determining whether a licence ought to be granted or not. Where an applicant has previous criminal convictions, these will be considered in line with the guidance set out in **Appendix I**. However, the over-riding consideration will always be to ensure the safety and welfare of the public.

3b.19 Persons who have not been resident within the United Kingdom for the five years prior to submitting an application, will be required to produce a certificate of good conduct or equivalent document (at their own cost) issued by the relevant Embassy or High Commission. The certificate must be authenticated, translated and sealed by the Embassy or High Commission. In the event that an applicant is not able to obtain a certificate of good conduct, they may submit a statutory declaration with regard to their conduct, which must be completed in the presence of a practising solicitor. The Council may contact the relevant Embassy, High Commission, solicitor or other appropriate body to verify any documents provided. Contact details for Embassies and High Commissions can be found from the Foreign, Commonwealth & Development Office (FCDO) on the GOV.UK website at https://www.gov.uk/government/world. The FCDO may be contacted for further assistance by telephone on 020 7008 5000, by email at fcdo.correspondence@fcdo.gov.uk or by post at the FCDO London Office, King Charles Street, London, SW1A 2AH.

3b.20 Applicants who have spent three continuous months or more living outside the United Kingdom, during the period of their licence, will be required to produce a certificate of good conduct or equivalent document at their own cost. This certificate must be issued by the relevant Embassy or High Commission for the country or countries lived in during this period and meet the requirements as set out at 3b.19 above. It is recognised that some countries will not provide a certificate of good conduct unless the individual has been resident for six months or more. Where a relevant Embassy or High Commission refuse to issue a certificate of good conduct, applicants must provide written confirmation from the Embassy of any refusal to the Licensing Team.

Non-conviction information

3b.21 In addition to conviction/caution information, applicants are expected to provide details, within 48 hours of all warnings, driving endorsements (driving convictions)/disqualification periods relating to traffic offences, fixed penalties, community resolutions, non-molestation orders and any other similar sanctions, together with any charges or arrests (including any from outside the UK) that they are the subject of in connection with criminal offences, whether or not actually charged with the offence, and details of any allegations of involvement in criminal activity or where they have been questioned in connection with any alleged criminal activity or inappropriate/unacceptable behaviour or any other relevant pending matter.

3b.22 Where an applicant is the subject of an outstanding charge or summons, their application may continue to be processed; however, depending on the circumstances, it is unlikely that a decision on the application will be made until the conclusion of the criminal proceedings. Where the outstanding charge or summons involves a serious offence and/or the individual's offending history and behaviour/conduct indicates a pattern of unlawful or unacceptable behaviour/character traits, then the application is likely to be refused.

3b.23 Where there is evidence/information that an applicant has been arrested or charged but not convicted of offences and the nature of this evidence/information suggests the applicant may not be a fit and proper person, the Council will give serious consideration to refusing an application or revoking an existing licence.

Period of licence

3b.24 Vehicle licences will be issued for a maximum period of 12 months.

Vehicle licence plates

3b.25 The external plates (front and rear) and the internal plate, identifying the vehicle as a hackney carriage, show the licence details on a white background with the Shropshire Council logo.

Vehicle specifications

3b.26 The Council requires all hackney carriage vehicles to comply with the following requirements:

Emissions/Age Restrictions*

3b.27 Wheelchair accessible vehicles must comply with the following:

Renewal/New Application	Fuel	Period	European Emission/Age Standard
New	Petrol	1 April 2027 to 31 March 2032	Euro 5 and where the vehicle is less than 12 years old

			from date of first registration
New	Diesel	1 April 2027 to 31 March 2032	Euro 6 and where the vehicle is less than 6 years old from date of first registration
New	Full electric	1 April 2027 to 31 March 2032	Any age
New	Hybrid petrol	1 April 2027 to 31 March 2032	Less than 12 years old from date of first registration
New	Hybrid diesel	1 April 2027 to 31 March 2032	Less than 10 years old from date of first registration
New	LPG	1 April 2027 to 31 March 2032	Less than 12 years old from date of first registration
Renewal	Petrol	1 April 2027 to 31 March 2032	Euro 5 and where the vehicle is less than 15 years old from date of first registration
Renewal	Diesel	1 April 2027 to 31 March 2032	Euro 6 and where the vehicle is less than 12 years old from date of first registration
Renewal	Full electric	1 April 2027 to 31 March 2032	Any age
Renewal	Hybrid petrol	1 April 2027 to 31 March 2032	Less than 15 years old from date of first registration
Renewal	Hybrid diesel	1 April 2027 to 31 March 2032	Less than 12 years old from date of first registration
Renewal	LPG	1 April 2027 to 31 March 2032	Less than 15 years old from date of first registration

*** For whatever reason, legal or otherwise, an applicant is not required to licence a wheelchair accessible vehicle, the age/emissions restrictions as set out at Part 3c, Standard Private Hire Vehicles, paragraph 3c.24 will apply.**

NB The chart above provides information for the licensing of vehicles up to 31 March 2032 and the maximum age for a vehicle to remain licensed. The Council does not currently

intend to make any changes in the future to reduce the maximum age for a vehicle to remain licensed where a vehicle had already been licensed before 31 March 2032. However, the Policy will be subject to continuous evaluation and, if necessary, can be formally reviewed at any time.

Safety

3b.28 The Council will not licence any new vehicle that since the date of first registration has been recorded by the DVLA as having sustained structural damage resulting from a road traffic accident (an insurance 'Write Off' under the DVLA's Category S – Structural damage classification for vehicle that has sustained damage after 1 October 2017 or Category C where a vehicle has sustained damage, rendering it beyond economical repair, prior to 1 October 2017). This information can be found in Part 3 – Special Notes of the V5 Registration Certificate.

3b.29 Hackney carriages that have been specifically constructed or adapted for disability access and any M1 (not M2 or N1) vehicles that have been adapted to be a hackney carriage must provide one of the following documents in order to demonstrate that the vehicle has been converted to an acceptable standard:

- Where the vehicle has come off the production line as a purpose-built wheelchair accessible vehicle there will be a Vehicle Certification Agency (VCA) certificate, which demonstrates that the vehicle has been constructed to an acceptable safety standard, providing there have been no changes to the layout of the vehicle since the VCA was issued.
- Where the vehicle is modified after production, but before first registration, there may be an Individual Approval Certificate (IAC) available, which will demonstrate that the adaptations have been tested by DVSA (VOSA) and are to an acceptable safety standard, providing there have been no changes to the conversion since the IAC was issued. This may be referred to as a Statutory Individual Vehicle Approval.
- Vehicles that are converted for disability access after first registration must be submitted for a Basic Voluntary IVA (Individual Vehicle Approval). This is the route that vehicles are required to take where there is no VCA certificate or IAC available. Vehicles must be presented to the DVSA for a Basic Voluntary IVA inspection Class P – Personal Import. If the vehicle passes the inspection, it will receive a Certificate of Compliance (IVA 6). The Voluntary IVA checks the whole of the vehicle, not only the parts that have been converted and is similar to a very strict MOT test.

3b.30 Where a proprietor has notified the Council that a licensed vehicle has sustained structural damage from a road traffic resulting in a DVLA classification under Category S – Structural damage (vehicle that has sustained damage after 1 October 2017) or Category C (vehicle has sustained damage, rendering it beyond economical repair, prior to 1 October 2017), any documents provided to meet the safety requirements of the policy as part of the previous application process (i.e. IVA certificate) will be invalid. The proprietor will be required to submit the vehicle for a new basic voluntary IVA check and provide a valid IVA certificate to the Licensing Team.

List of Designated Wheelchair Accessible Vehicles

3b.31 Section 167 of the Equality Act 2010 requires all local authorities to maintain a list of designated wheelchair accessible vehicles.

3b.32 All wheelchair accessible vehicles must be capable of transporting the user of a " chair" and will be included within the Council's list of designated vehicles. Specifications for a "reference wheelchair" can be found at **Appendix J**.

3b.33 Section 172 of the Equality Act 2010 provides for an appeal to be made against the decision to include a vehicle on the list of designated wheelchair accessible vehicles. Any appeal must be made to the Magistrates Court within 28 days of the vehicle being included on the list.

3b.34 Proprietors have a responsibility to ensure that any Shropshire Council licensed driver who drives one of their wheelchair accessible vehicles is made aware of their duties in respect of carrying persons using wheelchairs when driving a designated wheelchair accessible vehicle.

3b.35 Failure to comply with the duties listed under section 165 of the Equality Act 2010 is a criminal offence.

Other Requirements

3b.36 Vehicles must not seat more than eight passengers (not including the driver) and:

(a) Be a Light Passenger Vehicle as defined by section 85 of the Road Traffic Act 1988 and have a minimum of 4 wheels
(b) Provide sufficient means by which any person in the carriage may communicate with the driver
(c) Proprietors are encouraged to consider only using vehicles where the entire external bodywork of the vehicle is of a uniform black colour. This does not prohibit the display of advertisements, information, images or other material as authorised by the Council
(d) All paintwork must be maintained in a uniform colour (but note 'c' above) and free from dents, scratches or rust
(e) Must not be fitted with 3D, 4D, ghost or sticker vehicle registration plates
(f) Have a watertight roof or covering
(g) Provide at least two windows on each side of the vehicle of which one window on one side must have a means of opening/closing
(h) Tinted windows will only be permitted in accordance with the manufacturers or specialist coachbuilder's specification and must comply with the Road Vehicles (Construction & Use) Regulations 1986. The Council will not permit any form of additional film to darken or tint the glass on any part of the vehicle
(i) Have seats that are properly cushioned and covered
(j) Have a floor provided with a proper carpet, mat, or other suitable covering
(k) Have fittings (including fittings that are used to secure wheelchairs to the floor of the vehicle) and furniture in a clean condition and be well maintained and in every way fit for public service
(l) Provide means for securing luggage if the carriage is so constructed as to carry luggage
(m) Where tilting passenger seats are fitted the seat must:
    - Be forward facing (with the exception of the fold down seats fitted onto the bulkhead/partition of a purpose-built hackney carriage)
    - Be designed for use by an adult
    - Have a three-point seatbelt

    As specified in the Road Vehicle (Construction and Use) Regulations 1986 (as amended)

(n) Have a minimum of four passenger doors including an entry/exit point for the driver if a vehicle other than a purpose-built hackney carriage

(o) Be maintained in a sound mechanical and structural condition at all times

(p) Have a full size spare wheel or space saver design wheel and the tools to change a wheel OR commercial breakdown cover which includes tyre repair/replacement (in any event where a spare wheel has been used, it is only to permit the current fare to be completed and any defective wheel must be replaced before taking another fare to ensure passenger safety); all pneumatic tyres, including the spare, must comply with the vehicle manufacturer's specification and any relevant legislation

(q) Be maintained in a clean and safe condition at all times from both exterior and interior perspectives

(r) Have provision for the legal transportation of a minimum of one "reference wheelchair" at all times. Proprietors are encouraged to consider wheelchair accessible vehicles which are capable of carrying wheelchairs larger than the reference size. Specifications for a "reference wheelchair" can be found at **Appendix J**

(s) Where a mechanical ramp is fitted, comply with requirements of the Lifting Operations and Lifting Equipment Regulations 1998

(t) Where a non-mechanical ramp is fitted, comply with the relevant provisions of the Provision and Use of Work Equipment Regulations 1998

(u) When transporting a wheelchair user, where a seat has to be removed in order to accommodate a passenger in a wheelchair, proprietors must store the seat securely away from the passengers and driver (e.g. in the boot)

(v) When transporting a wheelchair user, where the wheelchair user chooses to transfer to a passenger seat, proprietors must store the wheelchair securely away from the passengers and driver (e.g. in the boot)

New application process

3b.37 The application form must be fully completed and include all relevant information, supporting documentation and appropriate fee.

3b.38 The full fee for the licence is payable at the time the application is submitted (this includes any application to transfer a vehicle licence onto another vehicle).

3b.39 If any part of the application form is incomplete or the relevant information or supporting documentation is not provided, the applicant will be requested to provide the missing information/documentation and informed that the application will not be processed until such time as all the information/documentation is provided. If the applicant fails to provide all the information to complete the application, the application will be rejected.

3b.40 Once an application has been accepted by the Licensing Team as a valid application the application process must be completed within 6 months unless prevented from doing so by matters that are outside the applicant's control. Where an application is not completed within this timescale the application will be referred to the Licensing Panel for determination where an officer with delegated authority will consider each case on its own individual merits and will determine what action is appropriate and proportionate to the circumstances of the case.

3b.41 Any person wishing to licence a hackney carriage vehicle must:

- Submit a completed application form

- Submit a completed reference form, unless the applicant is the holder of a hackney carriage and private hire driver licence or private hire operator licence issued by Shropshire Council (NB the referees must be from either professional or business sources who have known the applicant for at least two years. In addition, the Council will not accept references from family members, drivers, operators, vehicle proprietors licensed with any local authority or, where relevant, the applicant's future employer unless there is satisfactory evidence of exceptional circumstances that are accepted by the Council). The Council reserves the right to refuse a reference where the Council deems the referee is not acceptable
- Pay the appropriate licence fee
- Provide a basic criminal record disclosure from the Disclosure and Barring Service, unless the applicant is the holder of a hackney carriage and private hire driver licence or private hire operator licence issued by Shropshire Council (applicants can apply to https://www.gov.uk/request-copy-criminal-record). A basic criminal record disclosure will only be accepted by the Council within three months of the date of issue from the Disclosure and Barring Service
- Provide a valid MOT (in accordance with the requirements set out at paragraph 3b.71 below)
- Provide a valid certificate of insurance for public hire, including proof of Public Liability insurance for a minimum of £5,000,000, in accordance with the requirements set out at paragraph 3b.77 below
- Provide the full V5 registration certificate (note the alternative interim measures outlined in paragraphs 3b.65 to 3b.68)
- Provide a valid certificate/report to confirm the vehicle is fitted with a taximeter in accordance with the requirements set out at paragraph 3b.69 below
- Evidence of compliance with the relevant European Emission/Age Standards as set out in paragraph 3b.27 either at the point of vehicle construction or by a subsequent adaption or conversion approved by the Council - the compliance must be relevant to the engine installed in the vehicle and this must be reflected in the V5 registration certificate
- Provide evidence of safety compliance as set out in paragraphs 3b.28 to 3b.29
- Proof of vehicle tax
- Where the vehicle is fitted with a mechanically operated ramp, provide a valid certificate/report confirming the ramp complies with the requirements of the Lifting Operations and Lifting Equipment Regulations 1998 (NB The proprietor is responsible for ensuring that a competent person carries out the necessary checks in accordance with these Regulations)
- Where non-mechanical ramps are used, provide confirmation from the proprietor of the vehicle that the ramps comply with the relevant provisions of the Provision and Use of Work Equipment Regulations 1998 (NB Licensing officers will check that the provision of non-mechanical ramps is being maintained by the vehicle proprietor)
- Where fittings are used to secure wheelchairs to the floor of a vehicle, provide a certificate/report confirming that all the fittings are intact and are free from damage and wear

3b.42 Once an application has been validated and accepted, the Council will:

- Make enquiries through the Council's adults and children's social care teams, West Mercia Police (or other relevant force), other local authorities and any other organisation, agency or person that the Council has deemed appropriate to seek information from
- Where applicable, write to the referees provided

3b.43 **NB** For partnerships or companies, the requirements set out in paragraphs 3b.8 to 3b.23 apply to all partners and directors/company secretaries.

3b.44 Where an application is received to change the proprietor of a hackney carriage vehicle licence (transfer of licensee), the new proprietor must fulfil the requirements as set out in paragraphs 3b.8 to 3b.23.

3b.45 Paragraphs 3b.8 to 3b.23 do not apply to applications to transfer a vehicle licence onto another vehicle, on a temporary basis, by an accident management company.

3b.46 Providing the above are satisfied, Officers will grant the licence. In all other cases, the application will be referred to the Licensing Panel for determination. Each application will be decided on its merits. However, there is a presumption that unless an applicant can demonstrate exceptional circumstances the application will be refused. Whilst it is neither possible nor prudent to draw up a list of what might amount to exceptional circumstances, an applicant who claims that exceptional circumstances exist will be expected to be able to satisfy the Council that it would not frustrate the purposes of this Policy or compromise public safety if the licence were granted. The applicant will be notified in writing if their application is to be determined at a meeting of the Licensing Panel.

Renewal of a licence

3b.47 To allow the vehicle's licence to be renewed, a renewal application form, including all supporting documents and the application fee, must be received by the Council at least 10 working days prior to the expiry date of the original licence (unless there is satisfactory evidence of exceptional circumstances that are accepted by the Council) to allow the Council sufficient time to process the renewal application. It is the Council's intention to process all valid renewal applications within 10 working days; hence, where applicants fail to submit their renewal application within this timescale, the risk that their licence will expire increases. Once a licence expires, is revoked (subject to a statutory appeal process) or surrendered, it ceases to exist and applicants would not be permitted to drive the hackney carriage vehicle in these circumstances.

3b.48 Once a licence ceases to exist a renewal application will not be accepted by the Council (unless there is satisfactory evidence of exceptional circumstances that are accepted by the Council) and the applicant must submit a new vehicle licence application which will be processed in accordance with the Council's new application process.

Renewal application process

3b.49 The application form must be fully completed and include all relevant information, supporting documentation and appropriate fee.

3b.50 The full fee for the licence is payable at the time the application is submitted (this includes any application to transfer a vehicle licence onto another vehicle).

3b.51 If any part of the application form is incomplete or the relevant information or supporting documentation is not provided, the applicant will be requested to provide the missing information/documentation and informed that the application will not be processed until such time as all the information/documentation is provided. If the applicant fails to provide all the information to complete the application, the application will be rejected.

3b.52 Once an application has been accepted by the Licensing Team as a valid application the application process must be completed within 6 months unless prevented from doing so

by matters that are outside the applicant's control. When an application is not completed within this timescale the application will be referred to the Licensing Panel for determination where an officer with delegated authority will consider each case on its own individual merits and will determine what action is appropriate and proportionate to the circumstances of the case.

3b.53 Any person wishing to renew a licence for a hackney carriage vehicle must:

- Submit completed application form
- Pay the appropriate licence fee
- Provide a basic criminal record disclosure from the Disclosure and Barring Service, unless the applicant is the holder of a hackney carriage and private hire driver licence issued by Shropshire Council (applicants can apply to https://www.gov.uk/request-copy-criminal-record). A basic criminal record disclosure will only be accepted by the Council within 12 months of the date of issue from the Disclosure and Barring Service
- Provide a valid MOT (in accordance with the requirements set out at paragraph 3b.71 below)
- Provide a valid certificate of insurance for public hire, including proof of Public Liability insurance for a minimum of £5,000,000, in accordance with the requirements set out at paragraph 3b.77 below
- Where the vehicle is fitted with a mechanically operated ramp, provide a valid certificate/report confirming the ramp complies with the requirements of the Lifting Operations and Lifting Equipment Regulations 1998 (NB The proprietor is responsible for ensuring that a competent person carries out the necessary checks in accordance with these Regulations.)
- Where non-mechanical ramps are used, provide confirmation from the proprietor of the vehicle that the ramps comply with the relevant provisions of the Provision and Use of Work Equipment Regulations 1998. (NB Licensing officers will check that the provision of non-mechanical ramps is being maintained by the vehicle proprietor.), and
- Where fittings are used to secure wheelchairs to the floor of a vehicle, provide a certificate/report confirming that all the fittings are intact and are free from damage and wear

3b.54 Once an application has been validated and accepted, the Council will

- Complete an online check of the MOT history for the vehicle
- Complete an online check to ensure that the vehicle has valid road tax
- Where applicable, make enquiries through the Council's adults and children's social care teams, West Mercia Police (or other relevant force), other local authorities and any other organisation, agency or person that the Council has deemed appropriate to seek information from

3b.55 **NB** For partnerships or companies, the requirements set out in paragraphs 3b.8 to 3b.23 apply to all partners and directors/company secretaries.

3b.56 Where an application is received to change the proprietor of a hackney carriage vehicle licence (transfer of licensee), the new proprietor must fulfil the requirements as set out in paragraphs 3b.8 to 3b.23 above.

3b.57 Providing the above are satisfied, Officers will grant the licence. In all other cases, the application will be referred to the Licensing Panel for determination. Each application will be decided on its merits. However, there is a presumption that unless an applicant can

demonstrate exceptional circumstances the application will be refused. Whilst it is neither possible nor prudent to draw up a list of what might amount to exceptional circumstances, an applicant who claims that exceptional circumstances exist will be expected to be able to satisfy the Council that it would not frustrate the purposes of this Policy or compromise public safety if the licence were granted. The applicant will be notified in writing if their application is to be determined at a meeting of the Licensing Panel.

Transfer of a licence (Change of vehicle)

3b.58 All requests to transfer a vehicle licence (change a vehicle) onto another vehicle will be treated as a new vehicle application (in accordance with the requirements set out at paragraphs 3b.37 to 3b.43).

3b.59 Where a proprietor has notified the Council that damage has occurred to a licensed wheelchair accessible vehicle, resulting in the transfer of licence to a temporary insurance replacement vehicle, proprietors will be required to provide evidence to demonstrate the damage which has occurred to the vehicle, i.e. insurance assessors report.

3b.60 Where the wheelchair accessible vehicle has sustained structural damage from a road traffic accident resulting in a DVLA classification under Category S – Structural damage (vehicle that has sustained damage after 1 October 2017) or Category C (vehicle has sustained damage, rendering it beyond economical repair, prior to 1 October 2017), any documents provided to meet the safety requirements of the policy as part of the previous application process (i.e. VCA certificate, IAC or IVA 6) may be invalid. In these circumstances the Council will require the proprietor to submit the vehicle for a new basic voluntary IVA check and provide a valid IVA 6 certificate to the Licensing Team before the licence can be transferred back to the original vehicle.

3b.61 Where the wheelchair accessible vehicle has sustained damage that does not affect the validity of the documents provided to meet the safety requirements of the policy as part of the previous application process (i.e. VCA certificate, IAC or IVA 6), provided any repairs have been made by a garage approved and authorised by the insurance company, the Council will require the proprietor to submit confirmation from the insurance company that the repairs have been completed in accordance with the insurance assessors report and a new MOT certificate (in accordance with the requirements set out at paragraph 3b.71 above) to the Licensing Team before the licence can be transferred back to the original vehicle.

Vehicle compliance process

3b.62 Once an application has been validated and accepted a member of the Licensing Team will contact the applicant to arrange a vehicle compliance appointment. At the appointment the vehicle will be subject to a compliance check to ensure:

- That the driver presenting the vehicle is capable of safely loading and securing a reference wheelchair into the vehicle (the vehicle, including seating, wheelchair restraint and ramp, will be photographed and the images held on the vehicle record file for future reference)
- The meter seal is intact, and the serial number matches the number provided in the meter calibration certificate. Where a meter seal has been tampered with and/or the serial number no longer matches, a new certificate/report to confirm the vehicle is fitted with a taximeter in accordance with the requirements set out at paragraph 3b.69 will be required

- That where commercial breakdown cover has not been provided as part of the application, the vehicle has a full-size spare wheel or space saver design wheel and the tools to change a wheel
- At least one no smoking sign is on display in the vehicle
- A sign confirming the taxi is wheelchair accessible
- The drivers internal 'Vehicle Copy' of driver badge is displayed ensuring that the licence details and photo are visible to passengers
- Where CCTV is fitted, a CCTV operating in this vehicle sign is on display in the vehicle

3b.63 Once an appointment has been allocated, the applicant must give 24 hours notice to cancel an appointment otherwise they will be required to pay a missed appointment fee before any further appointments are made.

3b.64 Vehicle proprietors are required to return the existing licence plate (renewal/transfer vehicles only) at the compliance appointment. Where officers are satisfied that the vehicle meets the compliance checks, the new licence plates will be issued. If, however, the vehicle does not meet the compliance check, advice will be provided and a further appointment arranged.

V5 registration certificate

3b.65 The Council accepts that a full V5 registration certificate in the new owner's name is not always available upon first licence or as part of an application to transfer the licensee; however, the green new keepers slip of the V5 form and proof of purchase must be produced. Where possible a full copy of the previous owners V5 registration certificate should be obtained and submitted alongside the green new keeper slip.

3b.66 A full V5 registration certificate and proof of purchase must be produced upon transfer of a vehicle licence. Where possible a full copy of the previous owners V5 registration certificate should be obtained and submitted alongside the V5 green section.

3b.67 Where the green section has been produced on first licensing the vehicle or as part of an application to transfer the licensee, a full V5 registration certificate in the new owner's name must be produced to the Council within 7 days of the form being received by the owner of the vehicle.

3b.68 Where a licence is issued in advance of a full V5 registration certificate being received and where upon receipt of a full V5 registration certificate information is contained that indicates that a vehicle has, since the date of first registration, been recorded by the DVLA as having sustained structural damage resulting from a road traffic accident, as set out in paragraph 3b.28, the licence will be subject to review at a meeting of the Council's Licensing Panel.

Taximeters

3b.69 Taximeters must:

- Be certified by a notified body in accordance with the Measuring Instruments Directive (MID) (2004/22/EC), in particular Annex 007
- Be fitted with a device, the use/action of which will bring the taximeter into action and cause the word 'HIRED' to appear on the face of the taximeter and such a device must be capable of being locked in a position such that the machinery of the taximeter is not in action and that no fare is recorded on the face of the taximeter

- Be calibrated to ensure the tariff charged does not exceed the maximum fares determined by the Council
- Be calendar controlled
- Be fixed to the vehicle with appropriate seals/appliances to prevent any person from tampering with the meter except by breaking, damaging, or permanently displacing the seals/appliances
- Have the word 'FARE' printed on the face of the meter in plain letters so as clearly to apply to the fare recorded thereon, and
- Be supported by a Shropshire Council certificate/report of compliance (the Council will only accept a certificate that has been issued within the previous 10 working days)

3b.70 With respect to a licensed vehicle, in the event that a proprietor fails to present to the Council a valid certificate/report of compliance (unless delayed or prevented by sufficient cause accepted and agreed by the Council), the Council may suspend the licence and require the proprietor of that hackney carriage to return all the plates to the Council subject to any appeal period.

MOT requirements[12]

3b.71 MOTs are required in accordance with the following requirements:

- Vehicles, up to 9 years from date of first registration, must be submitted for an MOT inspection at 6-monthly intervals (and any other inspection deemed necessary by an authorised officer) and the applicant must produce valid MOT certificates to the Council in this respect.
- Once a vehicle reaches the age of 9 years, in addition to the MOT certificate submitted with an application, it must have two other MOT tests per year; tests being spaced evenly throughout the year at four monthly intervals and the applicant must produce valid MOT certificates to the Council in this respect.
- MOT certificates will only be accepted by the Council within 10 working days of the date of issue from the MOT testing centre.
- MOTs must be undertaken by a 'Nominated Tester' or Authorised Vehicle Examiner at a Vehicle Testing Station appointed under Section 45 of The Road Traffic Act 1988; the cost of all tests must be met by the vehicle proprietor.
- The vehicle must have a valid MOT throughout the licence period.

3b.72 The Council will check the MOT history of a licensed vehicle to ensure that the vehicle has not been used to fulfil any hackney carriage work on a failed MOT where the vehicle has failed for dangerous (do not drive until repaired) defects or category major (repair immediately) defects.

3b.73 With respect to a licensed vehicle, in the event of a proprietor failing to present to the Council an MOT test certificate as required (unless delayed or prevented by sufficient cause accepted and agreed by the Council), the Council may suspend the licence and require the proprietor of that hackney carriage to return all the plates to the Council subject to any appeal period.

MOT failures, advisories and manufacturer recalls

3b.74 The Council's position in regard to MOT failures, advisories and manufacturer recalls is as follows:

[12] The requirement to submit an MOT will be in accordance with section 50 of the Local Government (Miscellaneous Provisions) Act 1976

- Where a vehicle fails an MOT under the category dangerous (do not drive until repaired) defects, DVSA guidance states that this will have a direct and immediate risk which will put passengers and other road users at risk or have a serious impact on the environment. The Council requires all repairs to be undertaken, and a new MOT test certificate issued before the vehicle is used as a hackney carriage.
- Where a vehicle fails an MOT under the category major (repair immediately) defects, the Council has a concern for the vehicle safety which may put passengers and other road users at risk or have an impact on the environment. The Council requires all repairs to be undertaken, and a new MOT test certificate issued before the vehicle is used as a hackney carriage.

3b.75 Where a proprietor permits a vehicle that has failed an MOT for dangerous (do not drive until repaired) defects, or major (repair immediately) defects, to be used as a hackney carriage, the licence will be referred to the Licensing Panel for review where an officer with delegated authority will consider each case on its own individual merits and will determine what action is appropriate and proportionate to the circumstances of the case.

3b.76 Shropshire Council reserves the right to require proprietors to rectify any items on an MOT certificate listed under minor or advisory information, or shown as an outstanding recall, and to provide evidence that the work has been completed to the Council within a timescale specified by the Council. In the event that a proprietor fails to rectify any items requested by the Council (unless delayed or prevented by sufficient cause accepted and agreed by the Council), the proprietor will be referred to a meeting of the Licensing Panel and/or the Licensing and Safety Sub-committee with a view to determining whether the licence ought to be suspended or revoked.

Insurance

3b.77 Certificates of insurance are required in accordance with the following requirements:

- The vehicle must have a valid certificate of insurance for public hire, including proof of Public Liability insurance for a minimum of £5,000,000, throughout the licence period.
- Certificates of insurance or cover notes issued to cover “any vehicle” or “any driver” must be accompanied by a schedule showing all the vehicles and drivers covered by the insurance as detailed in the certificate of insurance.
- Where a vehicle is insured by a proprietor and the proprietor allows another licensed Shropshire Council driver to drive their vehicle, or any vehicle is insured under a fleet insurance, the proprietor (as the policy holder) is responsible for ensuring that the driver of that vehicle is aware of the content of the policy, including its limitations and exclusions, and that the proprietor keeps records to this effect.
- Where an insurance cover note is provided a full certificate of insurance must be produced to the Council within 7 days of the certificate being received by the owner of the vehicle.
- The proprietor must also obtain information as to any requirement for them to have Employers Liability Indemnity; if there is such a requirement, it must be for a minimum of £5,000,000.

3b.78 With respect to a licensed vehicle, in the event of a proprietor failing to present to the Council a valid certificate of insurance as required (unless delayed or prevented by sufficient cause accepted and agreed by the Council), the Council may suspend the licence and require the proprietor of that hackney carriage to return all the plates to the Council subject to any appeal period.

Vehicle not fit for the conveyance of passengers

3b.79 Where a proprietor has notified the Council that damage has occurred to a vehicle, otherwise than in accordance with relevant road traffic legislation, the Council may require photographic evidence of the damage or for the vehicle to be presented for inspection by an authorised officer of the Council.

3b.80 If the authorised officer determines that a vehicle is not fit for the purpose of conveying passengers an authorised officer of the Council may at that time suspend the licence and require the proprietor of the vehicle to return all the vehicle plates to the Council. The suspension will be lifted and the plates returned at such time when the condition of the vehicle is demonstrated, to the satisfaction of the Council, to be fit for conveying passengers.

3b.81 The officer may require the proprietor to arrange for a further MOT test, or in respect of wheelchair accessible vehicles a basic voluntary IVA test, to be undertaken and certificate produced before the vehicle will be permitted to operate; this is at the discretion of the authorised officer.

Use of information on and in relation to hackney carriages

3b.82 Proprietors are encouraged to display the Council approved notice which sets out what passengers can expect from their drivers, and what drivers can expect from passengers who use their service.

3b.83 Proprietors may display advertisements, information, images and other material on hackney carriages in accordance with the conditions set out at **Appendix L**. This is subject to prior written approval from the Council.

Closed circuit television (CCTV)

3b.84 Proprietors of hackney carriage vehicles are encouraged to install closed circuit television (CCTV) systems providing such systems are installed in accordance with the appropriate legal framework and the Council has been notified, in writing, of their intention to do so.

3b.85 Proprietors must register with the Information Commissioners Office (ICO) and maintain a valid registration throughout the duration of the licence or until such a time as the CCTV has been removed from the licensed vehicle.

Trailers

3b.86 Hackney carriages licensed by the Council are permitted to tow trailers when undertaking the licensable activity, providing the conditions set out at **Appendix M** are complied with at all times.

Ranks

3b.87 The Highways section of the Council is primarily responsible for the creation of ranks and will work with the hackney carriage trade, Licensing and West Mercia Police to determine where ranks/stands ought to be situated.

Parking/waiting

3b.88 Drivers of hackney carriage vehicles in the Council's area should, as soon as they have dropped passengers at their required destination and unless prevented from doing so by another booking, return to a suitably safe place to park that is not in contravention of road traffic legislation, traffic regulation orders and not likely to cause nuisance to others.

3b.89 Where a driver is plying for hire and is illegally parked or creating an obstruction, i.e. in contravention of road traffic legislation and traffic regulation orders, or if, in the opinion of an officer of the Council or police officer, the driver is plying for hire in a dangerous location (this does not include a legitimate period of time where a hackney carriage has stopped to drop off or pick up a fare), the driver's licence may be reviewed and such conduct may be deemed a reasonable cause to revoke or suspend the licence or to take any other appropriate action.

LPG converted vehicles

3b.90 The Council must be satisfied that any vehicle that has been converted to LPG has been converted correctly prior to a licence being issued. To this end, the Council will undertake checks with the UK LPG Vehicle Register.

3b.91 With respect to new applications, where it is established that a conversion has not been undertaken correctly and/or the vehicle is unsafe in any way, the Council will refuse the application.

3b.92 In the event that an LPG conversion has been undertaken on a vehicle during a current licensed period and the proprietor of the vehicle fails to notify the Council within 7 days of the conversion, an authorised officer of the Council will suspend the vehicle licence until such time as evidence is available on the UK LPG Vehicle Register.

3b.93 In the case of a conversion that has been undertaken on a vehicle during a current licensed period and it is subsequently established that the conversion has not been undertaken correctly and/or the vehicle is unsafe in any way, an authorised officer of the Council will suspend the licence until such time as the conversion has been undertaken correctly and/or it is demonstrated to the satisfaction of the Council that the vehicle is safe.

Hackney carriage fares

3b.94 The hackney carriage trade will be expected to apply for any change to the hackney carriage fares. The Council will consult with hackney carriage licence holders when a proposed change to the hackney carriage fares has been received. Proposals will be considered by the Strategic Licensing Committee and advertised in the local press before they are adopted. This does not preclude the Council from putting forward changes to the fares or taking a decision not to accept the application from the trade.

Production of records/documents

3b.95 Any records required to be retained in accordance with the licence and licence conditions must be produced, on request, to any authorised officer of the Council or to any police officer.

Licence conditions

3b.96 The applicable conditions relevant to a hackney carriage licence are set out at **Appendix C;** these conditions must be complied with. These conditions are in addition to any matters set out within the main body of the Policy.

Main legal requirements

3b.97 Paragraphs 3b.98 to 3b.109 is not exhaustive and unless otherwise specified please refer to the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976 for a full list of legal requirements, offences and the maximum penalty upon conviction.

3b.98 Change of proprietor

The proprietor must give notice to the Council of any transfer in his interest in the hackney carriage vehicle to a person other than the proprietor whose name is specified in the licence. Such notice must be given, in writing, within 14 days specifying the name and address of the person to whom the vehicle has been transferred.

3b.99 Change of address

The proprietor of a hackney carriage must notify the Council in writing within 7 days of any change of their address.

3b.100 Retention of driver licences

A proprietor of a hackney carriage must ensure that each driver's licence is lodged with the proprietor before the driver is employed to carry out work and must retain the licence in their possession for the period during which the driver remains in their employ. When a driver leaves the employ of a proprietor, the proprietor must return the driver's licence unless the licence holder has been guilty of misconduct in which case the operator may retain the licence and must issue a summons to have the cause of complaint determined by the Courts. (Note: If the Courts find that the licence has been improperly retained, they have the powers to order its return and to award compensation.)

3b.101 Inspection

The proprietor must present their hackney carriage for inspection and testing by the Council as required, up to a maximum of 3 times during any one period of 12 months.

3b.102 The proprietor must provide, on request, the address where the hackney carriage is kept and allow the Council to inspect and test the vehicle at that address.

3b.103 Accidents

The proprietor, notwithstanding their responsibilities under relevant road traffic legislation, must also report to the Council any accident as soon as reasonably practicable. However, where the vehicle has suffered accident damage that materially affects the safety, performance or appearance of the vehicle, or the comfort or convenience of fare paying passengers, the driver must notify the Council within 72 hours.

3b.104 Production of documents

The proprietor must, on request by an authorised officer of the Council or a police officer, produce to the officer for inspection the hackney carriage vehicle licence and insurance certificate within 7 days.

3b.105 Return of identification plates

Where a licence is revoked, suspended or expires, the proprietor, when required by the Council to do so, must return all the identification plates within 7 days.

3b.106 Transporting children

As a minimum, vehicles must be capable of complying with the requirements set out in the table below, for further guidance see https://www.gov.uk/child-car-seats-the-rules/when-a-child-can-travel-without-a-car-seat.

	Front seat	**Rear seat**	**Who is responsible?**
Child up to 3 years	Correct child restraints must be used	Correct child restraint must be used. If a restraint is not available in a licensed hackney carriage or private hire vehicle, the child may travel unrestrained.	Driver**
Child from 3rd birthday to 12th birthday or 135 cm in height whichever they reach first	Correct child restraints must be used	Where seat belts are fitted, the correct child restraint must be used. The child must use adult belt if the correct child restraint is not available as follows: in a licensed hackney carriage or private hire vehicle; or for a short distance in an unexpected necessity; or two occupied child restraints prevent fitting of a third. A child 3 years and over may travel unrestrained in the rear seat of a vehicle if seat belts are not fitted in the rear.	Driver**
Child over 135 cm in height or 12 or 13 years old	Seat belt must be worn if available*	Seat belt must be worn if available.	Driver**
Passengers aged 14 years and over	Seat belt must be worn if available*	Seat belt must be worn if available.	Passenger

*Vehicles built before 1965 are not required to have fitted seatbelts.

**Drivers must inform parents/carers that the decision to permit children to travel in the vehicle, without the correctly sized seat restraints (as permitted by relevant legislation) and with the obvious risks associated with such an action, remains with the parent/carer responsible for the children and not with the driver of the vehicle.

3b.107 Ranks

Hackney carriage ranks/stands are provided in accordance with the Local Government (Miscellaneous Provisions) Act 1976. The Council may appoint ranks/stands for hackney carriages. It is not a mandatory statutory requirement for the Council to do so. Before providing ranks/stands the Council will liaise with the police and the Highways section of the Council and where the location of a rank is on private land the Council must obtain permission of the landowner.

3b.108 Fares

Drivers of hackney carriages must not charge more than is permitted under the current table of fares. Drivers undertaking journeys ending outside the Council's area and in respect of which no fare and no rate of fare was agreed before the journey commenced

must not charge more than that indicated on the taximeter or more than the current table of fares allows.

3b.109 Where a hackney carriage is used for a private hire contract the fare charged must not exceed the fares set down in the current table of fares. The fare or charge is calculated from the point at which the hirer commences the journey within the administrative area of Shropshire Council.

3c. STANDARD PRIVATE HIRE VEHICLES

Summary

3c.1 Private hire vehicles are licensed in accordance with the provisions of the Local Government (Miscellaneous Provisions) Act 1976. Private hire vehicles must not have the appearance of a hackney carriage vehicle.

3c.2 When considering whether a vehicle is a private hire vehicle, by the nature of the work it does, Shropshire Council shall have regard to the Department for Transport's Private Hire Vehicle Licensing Guidance Note (November 2023).

3c.3 The Council legally cannot limit the number of private hire vehicle licences that it will issue.

3c.4 The Council will not licence a vehicle for hire and reward which is licensed by another local authority or allow or permit a private hire vehicle identification plate issued by another authority to be displayed on the vehicle.

Applicant

3c.5 The applicant for a vehicle licence must be the person who is the legal owner of the vehicle concerned and entitled to have ownership of the vehicle[13].

Fit and proper person

3c.6 The proprietor of a licensed private hire vehicle provides a public service that impacts on public safety. On this basis, the Council will not licence a vehicle as a private hire vehicle unless it is satisfied that the proprietor of the vehicle meets all the criteria to be deemed a fit and proper person as set out in **Appendix I**.

Proprietors who apply for a private hire vehicle licence and who hold a valid Shropshire Council hackney carriage/private hire driver licence or a valid Shropshire Council private hire operator licence

3c.7 The Council adopts the same principles when determining whether an applicant is a fit and proper person to hold a vehicle licence as it does to persons applying for a driver licence. In this respect, applicants are required to have due regard, as appropriate, to the requirements and information set out at paragraphs 3a.4 to 3a.24 of the Policy.

Proprietors who apply for a private hire vehicle licence and who do not hold a valid Shropshire Council hackney carriage/private hire driver licence or a valid Shropshire Council private hire operator licence

3c.8 In considering the fit and proper person test, all applicants on initial application must provide a basic criminal record disclosure from the Disclosure and Barring Service that has been issued by the Disclosure and Barring Service within the previous three months of the date that the application is received by the Council. All applicants on renewal must provide a basic criminal record disclosure that has been issued by the Disclosure and Barring Service within the previous 12 months of the date that the application is received by the Council. On new and renewal applications the Council will also make additional enquiries

[13] There is no legal definition of proprietor within relevant legislation; however, the Council has taken the view that proprietor means the legal owner based on common usage of the term, e.g. where the vehicle is on a long-term lease agreement, a copy of the agreement must be provided with an application.

through its adults and children's social care teams, directly with West Mercia Police (and other relevant police forces, where appropriate), other relevant local authorities (particularly Telford & Wrekin Council and City of Wolverhampton Council) and any other appropriate organisation, agency or person in order to ensure the Council is in a position to make as accurate an assessment of the applicant's fitness to hold a licence as is reasonably practicable.

3c.9 With specific reference to existing licence holders, where there is any cause for a licence to be reviewed, the Council will make additional enquiries through its adults and children's social care teams, directly with West Mercia Police (and other relevant police forces, where appropriate), other relevant local authorities (particularly Telford & Wrekin Council and City of Wolverhampton Council) and any other appropriate organisation, agency or person in order to ensure the Council is in a position to make as accurate an assessment of the licence holders fitness to hold a licence as is reasonably practicable. Depending on the circumstances of the case, the Council may request the licence holder to consent to a further basic criminal record disclosure, the cost of which lies with the licence holder. Where a licence holder refuses to consent to a further check the Council will take this into consideration in determining their continuing fitness to hold a licence.

3c.10 When assessing the fitness of an applicant to hold a private hire vehicle proprietors licence, the Council will consider the applicant's criminal history as a whole, together with all other relevant evidence, information and intelligence including their history (e.g. complaints and positive comments from the public, compliance with licence conditions and willingness to co-operate with licensing officers) whilst holding a licence from the Council or any other authority. Particular attention will be given to patterns of behaviour, irrespective of the timescale over which they have occurred, both in terms of proven criminal offences and other behaviour/conduct that may indicate the safety and welfare of the public may be at risk from the applicant.

3c.11 In addition, an important element associated with the fitness to hold a licence is the appearance and behaviour of an applicant. Consequently, the Council requires all applicants to maintain a reasonable standard of appearance and behaviour when in contact and dealing with all persons, including but not limited to, other road users, pedestrians, customers, the general public, other licensed operators and drivers of hackney carriage and private hire vehicles, Council officers and elected members at all times. Applicants must also co-operate with any reasonable request made by an authorised officer of the Council or any police officer.

3c.12 It must also be recognised that the Council will consider all relevant criminal history, behaviour and conduct irrespective of whether the specific history, behaviour or conduct occurred whilst applicants were directly engaged in hackney carriage or private hire licensed work at the time or whether they occurred during the applicants' own personal time. The Council considers a person or individual who has a propensity to commit offences and/or demonstrate unacceptable conduct whilst not engaged in hackney carriage or private hire work to be equally as serious as offences and/or unacceptable conduct committed whilst engaged in hackney carriage or private hire work.

Criminal record disclosure

3c.13 All unspent convictions, including cautions, will be taken into account when considering a person's suitability to hold a licence. Consequently, applicants are required to provide details of <u>all</u> unspent convictions and cautions, including driving endorsements (driving convictions) and disqualification periods relating to traffic offences.

3c.14 Although cautions are generally not as serious as convictions, ordinarily as a result of the circumstances under which they are offered, they do require an admission of guilt before they can be issued which is equivalent to a guilty plea on prosecution. Consequently, a caution is regarded in exactly the same way as a conviction. Fixed penalties, community resolutions or similar sanctions will also be considered in the same way as a conviction on the basis that payment of a fixed penalty indicated an acceptance of guilt and a community resolution can only be imposed following an admission of guilt. As a result, each of these sanctions is a valuable indication as to an applicant's character and whether they are a fit and proper person to hold or be granted a licence.

3c.15 A criminal record does not automatically bar an applicant from holding a licence; however, it will be a significant factor when determining whether a licence ought to be granted or not. Where an applicant has previous criminal convictions, these will be considered in line with the guidance set out in **Appendix I**. However, the over-riding consideration will always be to ensure the safety and welfare of the public.

3c.16 Persons who have not been resident within the United Kingdom for the five years prior to submitting an application, will be required to produce a certificate of good conduct or equivalent document (at their own cost) issued by the relevant Embassy or High Commission. The certificate must be authenticated, translated and sealed by the Embassy or High Commission. In the event that an applicant is not able to obtain a certificate of good conduct, they may submit a statutory declaration with regard to their conduct, which must be completed in the presence of a practising solicitor. The Council may contact the relevant Embassy, High Commission, solicitor or other appropriate body to verify any documents provided. Contact details for Embassies and High Commissions can be found from the Foreign, Commonwealth & Development Office (FCDO) on the GOV.UK website at https://www.gov.uk/government/world. The FCDO may be contacted for further assistance by telephone on 020 7008 5000, by email at fcdo.correspondence@fcdo.gov.uk or by post at the FCDO London Office, King Charles Street, London, SW1A 2AH.

3c.17 Applicants who have spent three continuous months or more living outside the United Kingdom, during the period of their licence, will be required to produce a certificate of good conduct or equivalent document (at their own cost). This certificate must be issued by the relevant Embassy or High Commission for the country or countries lived in during this period and meet the requirements as set out at 3c.16 above. It is recognised that some countries will not provide a certificate of good conduct unless the individual has been resident for six months or more. Where a relevant Embassy or High Commission refuse to issue a certificate of good conduct, applicants must provide written confirmation from the Embassy of any refusal to the Licensing Team.

Non-conviction information

3c.18 In addition to conviction/caution information, applicants are expected to provide details, within 48 hours of all warnings, driving endorsements (driving convictions)/disqualification periods relating to traffic offences, fixed penalties, community resolutions, non-molestation orders and any other similar sanctions, together with any charges or arrests (including any from outside the UK) that they are the subject of in connection with criminal offences, whether or not actually charged with the offence, and details of any allegations of involvement in criminal activity or where they have been questioned in connection with any alleged criminal activity or inappropriate/unacceptable behaviour or any other relevant pending matter.

3c.19 Where an applicant is the subject of an outstanding charge or summons, their application may continue to be processed; however, depending on the circumstances, it is unlikely

that a decision on the application will be made until the conclusion of the criminal proceedings. Where the outstanding charge or summons involves a serious offence and/or the individual's offending history and behaviour/conduct indicates a pattern of unlawful or unacceptable behaviour/character traits, then the application is likely to be refused.

3c.20 Where there is evidence/information that an applicant has been arrested or charged but not convicted of offences and the nature of this evidence/information suggests the applicant may not be a fit and proper person, the Council will give serious consideration to refusing an application or revoking an existing licence.

Period of licence

3c.21 Vehicle licences will be issued for a maximum period of 12 months.

Vehicle licence plates

3c.22 The external plates (front and rear) and the internal plate, identifying the vehicle as a private hire vehicle, show the licence details on a yellow background with the Shropshire Council logo.

Vehicle specification

3c.23 The Council requires private hire vehicles to comply with the following requirements:

Emissions/Age Restrictions

3c.24 Vehicles that are **not** wheelchair accessible vehicles must comply with the following:

Renewal/New Application	Fuel	Period	European Emission / Age Standard
New	Petrol	1 April 2027 to 31 March 2032	Euro 5 and where the vehicle is less than 10 years old from date of first registration
New	Diesel	1 April 2027 to 31 March 2032	Euro 6 and where the vehicle is less than 6 years old from date of first registration
New	Full electric	1 April 2027 to 31 March 2032	Any age
New	Hybrid petrol	1 April 2027 to 31 March 2032	Less than 10 years old from date of first registration
New	Hybrid diesel	1 April 2027 to 31 March 2032	Less than 8 years old from date of first registration
New	LPG	1 April 2027 to 31 March 2032	Less than 10 years old from

			date of first registration
Renewal	Petrol	1 April 2027 to 31 March 2032	Euro 5 and where the vehicle is less than 12 years old from date of first registration
Renewal	Diesel	1 April 2027 to 31 March 2032	Euro 6 and where the vehicle is less than 10 years old from date of first registration
Renewal	Full electric	1 April 2027 to 31 March 2032	Any age
Renewal	Hybrid petrol	1 April 2027 to 31 March 2032	Less than 12 years old from date of first registration
Renewal	Hybrid diesel	1 April 2027 to 31 March 2032	Less than 10 years old from date of first registration
Renewal	LPG	1 April 2027 to 31 March 2032	Less than 12 years old from date of first registration

3c.25 The following is applicable to **wheelchair accessible vehicles only**. Vehicles that **are** wheelchair accessible vehicles must comply with the following:

Renewal/New Application	Fuel	Period	European Emission / Age Standard
New	Petrol	1 April 2027 to 31 March 2032	Euro 5 and where the vehicle is less than 12 years old from date of first registration
New	Diesel	1 April 2027 to 31 March 2032	Euro 6 and where the vehicle is less than 6 years old from date of first registration
New	Full electric	1 April 2027 to 31 March 2032	Any age
New	Hybrid petrol	1 April 2027 to 31 March 2032	Less than 12 years old from date of first registration
New	Hybrid diesel	1 April 2027 to 31 March 2032	Less than 10 years old from

			date of first registration
New	LPG	1 April 2027 to 31 March 2032	Less than 12 years old from date of first registration
Renewal	Petrol	1 April 2027 to 31 March 2032	Euro 5 and where the vehicle is less than 15 years old from date of first registration
Renewal	Diesel	1 April 2027 to 31 March 2032	Euro 6 and where the vehicle is less than 12 years old from date of first registration
Renewal	Full electric	1 April 2027 to 31 March 2032	Any age
Renewal	Hybrid petrol	1 April 2027 to 31 March 2032	Less than 15 years old from date of first registration
Renewal	Hybrid diesel	1 April 2027 to 31 March 2032	Less than 12 years old from date of first registration
Renewal	LPG	1 April 2027 to 31 March 2032	Less than 15 years old from date of first registration

NB The charts above provide information for the licensing of vehicles up to 31 March 2032 and the maximum age for a vehicle to remain licensed. The Council does not currently intend to make any changes in the future to reduce the maximum age for a vehicle to remain licensed where a vehicle had already been licensed before 31 March 2032. However, the Policy will be subject to continuous evaluation and, if necessary, can be formally reviewed at any time.

Safety

3c.26 The Council will not licence any new vehicle that since the date of first registration has been recorded by the DVLA as having sustained structural damage resulting from a road traffic accident (an insurance 'Write Off' under the DVLA's Category S – Structural damage classification for vehicle that has sustained damage after 1 October 2017 or Category C where a vehicle has sustained damage, rendering it beyond economical repair, prior to 1 October 2017). This information can be found in the Special Notes section of the V5 registration Certificate.

3c.27 Vehicles must meet the following safety standards as defined by the European New Car Assessment Programme (NCAP). In this respect, the Overall Rating must be used. Where the Overall Rating is not available, the Adult Rating is the relevant standard:

- All new vehicle applications submitted on or after 1 April 2027 are required to be NCAP 5 star.
- All renewal vehicle applications submitted on or after 1 April 2027 are required to be NCAP 5 star.

NB Applicants wishing to purchase a new vehicle that meets the requirements of the age/emissions section of this Policy, however, to which no NCAP safety rating has been applied, are advised to contact the Council for advice prior to purchase. An application may be considered if the applicant is able to demonstrate exceptional circumstances to satisfy the Council that it would not frustrate the purposes of this Policy or compromise public safety if the licence were granted.

3c.28 The requirements of 3c.27 do not apply to private hire vehicles that have been specifically constructed or converted for disability access and any M1 (not M2 or N1) vehicles that have been adapted to be a private hire vehicle (and has been accepted by an authorised officer of the council to be licensed only as a private hire vehicle) where:

- The vehicle has come off the production line as a purpose-built wheelchair accessible vehicle there will be a Vehicle Certification Agency (VCA) certificate which demonstrates that the vehicle has been constructed to an acceptable safety standard, providing there have been no changes to the layout of the vehicle since the VCA was issued.
- The vehicle is modified after production, but before first registration, there may be an Individual Approval Certificate (IAC) available, which will demonstrate that the adaptations have been tested by DVSA (VOSA) and are to an acceptable safety standard, providing there have been no changes to the conversion since the IAC was issued. This may be referred to as a Statutory Individual Vehicle Approval.
- Vehicles that are converted for disability access after first registration have been submitted for a Basic Voluntary IVA (Individual Vehicle Approval). This is the route that vehicles are required to take where there is no VCA certificate or IAC available. Vehicles must be presented to the DVSA for a Basic Voluntary IVA inspection Class P – Personal Import. If the vehicle passes the inspection it will receive a Certificate of Compliance (IVA 6). The Voluntary IVA checks the whole of the vehicle, not only the parts that have been converted and is similar to a very strict MOT test.

3c.29 Where a proprietor has notified the Council that a licensed vehicle has sustained structural damage from a road traffic accident resulting in a DVLA classification under Category S – Structural damage (vehicle that has sustained damage after 1 October 2017) or Category C (vehicle has sustained damage, rendering it beyond economical repair, prior to 1 October 2017), any documents provided to meet the safety requirements of the policy as part of the previous application process (i.e. NCAP safety report or IVA certificate) will be invalid. The proprietor will be required to submit the vehicle for a new basic voluntary IVA check and provide a valid IVA certificate to the Licensing Team.

List of Designated Wheelchair Accessible Vehicles

3c.30 Section 167 of the Equality Act 2010 requires all Local Authorities to maintain a list of designated wheelchair accessible vehicles.

3c.31 All wheelchair accessible vehicles must be capable of transporting the user of a “reference wheelchair” and will be included within Shropshire Council’s list of designated vehicles. Proprietors are encouraged to consider wheelchair accessible vehicles which are capable of carrying wheelchairs larger than the reference size. Specifications for a “reference wheelchair” can be found at **Appendix J**.

3c.32 Section 172 of the Equality Act 2010 provides for an appeal to be made against the decision to include a vehicle on the list of designated wheelchair accessible vehicles. Any appeal must be made to the Magistrates Court within 28 days of the vehicle being included on the list.

3c.33 Proprietors have a responsibility to ensure that any Shropshire Council licensed driver who drives one of their wheelchair accessible vehicles is made aware of their duties in respect of carrying disabled persons in wheelchairs when driving a designated wheelchair accessible vehicle.

3c.34 Failure to comply with the duties listed under section 165 of the Equality Act 2010 is a criminal offence.

Other Requirements

3c.35 Vehicles must not seat more than eight passengers (not including the driver) and:

(a) Be a Light Passenger Vehicle as defined by section 85 of the Road Traffic Act 1988 and have a minimum of 4 wheels
(b) Provide sufficient means by which any person in the carriage may communicate with the driver
(c) Vehicle owners and operators are encouraged to use vehicles where the entire external bodywork of the vehicle is NOT black in colour. This does not prohibit the display of advertisements, information, images or other material as authorised by the Council
(d) All paintwork must be maintained in a uniform colour and free from dents, scratches or rust
(e) Must not be fitted with 3D, 4D, ghost or sticker vehicle registration plates
(f) Have a watertight roof or covering
(g) Provide at least two windows on each side of the vehicle of which one window on one side must have a means of opening/closing
(h) Tinted windows will only be permitted in accordance with the manufacturers or specialist coachbuilder's specification and must comply with the Road Vehicles (Construction & Use) Regulations 1986 as amended. The Council will not permit any form of additional film to darken or tint the glass on any part of the vehicle
(i) Have seats that are properly cushioned and covered
(j) Have a floor provided with a proper carpet, mat, or other suitable covering
(k) Have fittings (including fittings that are used to secure wheelchairs to the floor of the vehicle) and furniture in a clean condition and be well maintained and in every way fit for public service
(l) Provide means for securing luggage if the carriage is so constructed as to carry luggage
(m) Where tilting passenger seats are fitted the seat must:
- Be forward facing (with the exception of the fold down seats fitted onto the bulkhead/partition of a purpose-built vehicle)
- Designed for use by an adult
- Have a three-point seatbelt

(n) Have a minimum of four passenger doors including an entry/exit point for the driver
(o) Be maintained in a sound mechanical and structural condition at all times
(p) Have a full size spare wheel or space saver design wheel and the tools to change a wheel OR commercial breakdown cover which includes tyre repair/replacement (in any event where a spare wheel has been used, it is only to permit the current fare to be completed and any defective wheel must be replaced before taking

another fare to ensure passenger safety); all pneumatic tyres, including the spare, must comply with the vehicle manufacturer's specification and any relevant legislation

(q) Be maintained in a clean and safe condition at all times from both exterior and interior perspectives

(r) Proprietors are encouraged to have provision for the legal transportation of a minimum of one reference wheelchair at all times. However, proprietors are encouraged to consider vehicles which are capable of carrying wheelchairs larger than the reference size. Specifications for a "reference wheelchair" can be found at **Appendix J**

(s) When transporting a wheelchair user, where a seat has to be removed in order to accommodate a passenger in a wheelchair, proprietors must store the seat securely away from the passengers and driver (e.g. in the boot or other suitable storage facility away from the vehicle)

(t) Where a mechanical ramp is fitted, comply with requirements of the Lifting Operations and Lifting Equipment Regulations 1998

(u) Where a non-mechanical ramp is fitted, comply with the relevant provisions of the Provision and Use of Work Equipment Regulations 1998, and

(v) When transporting a wheelchair user, where the wheelchair user chooses to transfer to a passenger seat, proprietors must store the wheelchair securely away from the passengers and driver (e.g. in the boot)

New application process

3c.36 The application form must be fully completed and include all relevant information, supporting documentation and appropriate fee.

3c.37 The full fee for the licence is payable at the time the application is submitted (this includes any application to transfer a vehicle licence onto another vehicle).

3c.38 If any part of the application form is incomplete or the relevant information or supporting documentation is not provided, the applicant will be requested to provide the missing information/documentation and informed that the application will not be processed until such time as all the information/documentation is provided. If the applicant fails to provide all the information to complete the application, the application will be rejected.

3c.39 Once an application has been accepted by the Licensing Team as a valid application the application process must be completed within 6 months unless prevented from doing so by matters that are outside the applicant's control. When an application is not completed within this timescale the application will be referred to the Licensing Panel for determination where an officer with delegated authority will consider each case on its own individual merits and will determine what action is appropriate and proportionate to the circumstances of the case.

3c.40 Any person wishing to licence a private hire vehicle must:

- Submit a completed application form
- Submit a completed reference form, unless the applicant is the holder of a hackney carriage and private hire driver licence or private hire operator licence issued by Shropshire Council (NB the referees must be from either professional or business sources who have known the applicant for at least two years. In addition, the Council will not accept references from family members, drivers, operators, vehicle proprietors licensed with any local authority or, where relevant, the applicant's future employer unless there is satisfactory evidence of exceptional circumstances that are accepted

by the Council). The Council reserves the right to refuse a reference where the Council deems the referee is not acceptable

- Pay the appropriate licence fee
- Provide a basic criminal record disclosure from the Disclosure and Barring Service, unless the applicant is the holder of a hackney carriage and private hire drivers licence or private hire operator licence issued by Shropshire Council (applicants can apply to https://www.gov.uk/request-copy-criminal-record). A basic criminal record disclosure will only be accepted by the Council within three months of the date of issue from the Disclosure and Barring Service
- Provide a valid MOT (in accordance with the requirements set out at paragraph 3c.69 below)
- Provide a valid certificate of insurance for private hire, including proof of Public Liability insurance for a minimum of £5,000,000, in accordance with the requirements set out at paragraph 3c.75 below
- Provide the full V5 registration certificate (note the alternative interim measure outlined in paragraphs 3c.64 to 3c.67)
- Where a meter is fitted, a valid certificate/report to confirm the vehicle is fitted with a taximeter in accordance with the requirements set out at paragraph 3c.68 below
- Provide evidence of compliance with the relevant European Emission/Age Standards as set out in paragraph 3c.24, or in the case of a wheelchair accessible vehicle as set out in paragraph 3c.25, either at the point of vehicle construction or by a subsequent adaption or conversion approved by the Council - the compliance must be relevant to the engine installed in the vehicle and this must be reflected in the V5 registration certificate
- Provide evidence of compliance with the relevant European New Car Assessment Programme (NCAP) rating as set out in paragraphs 3c.26 to 3c.28
- Proof of vehicle tax
- Where the vehicle is fitted with a mechanically operated ramp, provide a valid certificate/report confirming the ramp complies with the requirements of the Lifting Operations and Lifting Equipment Regulations 1998 (NB The proprietor is responsible for ensuring that a competent person carries out the necessary checks in accordance with these Regulations.)
- Where non-mechanical ramps are used, provide confirmation from the proprietor of the vehicle that the ramps comply with the relevant provisions of the Provision and Use of Work Equipment Regulations 1998 (NB Licensing officers will check that the provision of non-mechanical ramps is being maintained by the vehicle proprietor.)
- Where fittings are used to secure wheelchairs to the floor of a vehicle, provide a certificate/report confirming that all the fittings are intact and are free from damage and wear

3c.41 Once an application has been validated and accepted, the Council will:

- Make enquiries through the Council's adults and children's social care teams, West Mercia Police (or other relevant force), other local authorities and any other organisation, agency or person that the Council has deemed appropriate to seek information from, and
- Where applicable, write to the referees provided

3c.42 **NB** For partnerships or companies, the requirements set out in paragraphs 3c.5 to 3c.20 apply to all partners and directors/company secretaries.

3c.43 Where an application is received to change the proprietor of a private hire vehicle licence (transfer of licensee), the new proprietor must fulfil the requirements as set out in paragraphs 3c.5 to 3c.20 above.

3c.44 Paragraphs 3c.5 to 3c.20 above do not apply to applications to transfer a vehicle licence onto another vehicle, on a temporary basis, by an accident management company.

3c.45 Providing the above are satisfied, Officers will grant the licence. In all other cases, the application will be referred to the Licensing Panel for determination. Each application will be decided on its merits. However, there is a presumption that unless an applicant can demonstrate exceptional circumstances the application will be refused. Whilst it is neither possible nor prudent to draw up a list of what might amount to exceptional circumstances, an applicant who claims that exceptional circumstances exist will be expected to be able to satisfy the Council that it would not frustrate the purposes of this Policy or compromise public safety if the licence were granted. The applicant will be notified in writing if their application is to be determined at a meeting of the Licensing Panel.

Renewal of a licence

3c.46 To allow the vehicle's licence to be renewed, a renewal application form must be received by the Council at least 10 working days prior to the expiry date of the original licence (unless there is satisfactory evidence of exceptional circumstances that are accepted by the Council) to allow the Council sufficient time to process the renewal application. It is the Council's intention to process all valid renewal applications within 10 working days; hence, where applicants fail to submit their renewal application within this timescale, the risk that their licence will expire increases. Once a licence expires, is revoked (subject to a statutory appeal process) or surrendered, it ceases to exist and applicants would not be permitted to drive the private hire vehicle in these circumstances.

3c.47 Once a licence ceases to exist a renewal application will not be accepted by the Council (unless there is satisfactory evidence of exceptional circumstances that are accepted by the Council) and the applicant must submit a new vehicle licence application which will be processed in accordance with the Council's new application process.

Renewal application process

3c.48 The application form must be fully completed and include all relevant information, supporting documentation and appropriate fee.

3c.49 The full fee for the licence is payable at the time the application is submitted. (This includes any application to transfer a vehicle licence onto another vehicle)

3c.50 If any part of the application form is incomplete or the relevant information or supporting documentation is not provided, the applicant will be requested to provide the missing information/documentation and informed that the application will not be processed until such time as all the information/documentation is provided. If the applicant fails to provide all the information to complete the application, the application will be rejected.

3c.51 Once an application has been accepted by the Licensing Team as a valid application the application process must be completed within 6 months unless prevented from doing so by matters that are outside the applicant's control. When an application is not completed within this timescale the application will be referred to the Licensing Panel for determination where an officer with delegated authority will consider each case on its own individual

merits and will determine what action is appropriate and proportionate to the circumstances of the case.

3c.52 Any person wishing to renew a licence for a private hire vehicle must:

- Submit a completed application form
- Pay the appropriate licence fee
- Provide a basic criminal record disclosure from the Disclosure and Barring Service, unless the applicant is the holder of a hackney carriage and private hire drivers licence or private hire operator's licence issued by Shropshire Council (applicants can apply to https://www.gov.uk/request-copy-criminal-record). A basic criminal record disclosure will only be accepted by the Council within 12 months of the date of issue from the Disclosure and Barring Service
- Provide a valid MOT (in accordance with the requirements set out at paragraph 3c.69 below)
- Provide a valid certificate of insurance for private hire including proof of Public Liability insurance for a minimum of £5,000,000, insurance stating covered for public hire will not be accepted for private hire vehicles, in accordance with the requirements set out at paragraph 3c.75 below
- Where the vehicle is fitted with a mechanically operated ramp, provide a valid certificate/report confirming the ramp complies with the requirements of the Lifting Operations and Lifting Equipment Regulations 1998 (NB The proprietor is responsible for ensuring that a competent person carries out the necessary checks in accordance with these Regulations.)
- Where non-mechanical ramps are used, provide confirmation from the proprietor of the vehicle that the ramps comply with the relevant provisions of the Provision and Use of Work Equipment Regulations 1998. (NB Licensing officers will check that the provision of non-mechanical ramps is being maintained by the vehicle proprietor), and
- Where fittings are used to secure wheelchairs to the floor of a vehicle, provide a certificate/report confirming that all the fittings are intact and are free from damage and wear

3c.53 Once an application has been validated and accepted, the Council will:

- Complete an online check of the MOT history for the vehicle
- Complete an online check to ensure that the vehicle has valid road tax
- Where applicable, make enquiries through the Council's adults and children's social care teams, West Mercia Police (or other relevant force), other local authorities and any other organisation, agency or person that the Council has deemed appropriate to seek information from

3c.54 **NB** For partnerships or companies, the requirements set out in paragraphs 3c.5 to 3c.20 apply to all partners and directors/company secretaries.

3c.55 Where an application is received to change the proprietor of a private hire vehicle licence (transfer of licensee), the new proprietor must fulfil the requirements as set out in paragraphs 3c.5 to 3c.20 above.

3c.56 Providing the above are satisfied, Officers will grant the licence. In all other cases, the application will be referred to the Licensing Panel for determination. Each application will be decided on its merits. However, there is a presumption that unless an applicant can demonstrate exceptional circumstances the application will be refused. Whilst it is neither possible nor prudent to draw up a list of what might amount to exceptional circumstances,

an applicant who claims that exceptional circumstances exist will be expected to be able to satisfy the Council that it would not frustrate the purposes of this Policy or compromise public safety if the licence were granted. The applicant will be notified in writing if their application is to be determined at a meeting of the Licensing Panel.

Transfer of a licence (Change of vehicle)

3c.57 All requests to transfer a vehicle licence (change of vehicle) onto another vehicle will be treated as a new vehicle application (in accordance with the requirements set out at paragraphs 3c.36 to 3c.42).

3c.58 Where a proprietor has notified the Council that damage has occurred to a licensed vehicle, resulting in the transfer of licence to a temporary insurance replacement vehicle, proprietors will be required to provide evidence to demonstrate the damage which has occurred to the vehicle, i.e. insurance assessors report.

3c.59 Where a wheelchair accessible vehicle has sustained structural damage from a road traffic accident resulting in a DVLA classification under Category S – Structural damage (vehicle that has sustained damage after 1 October 2017) or Category C (vehicle has sustained damage, rendering it beyond economical repair, prior to 1 October 2017), any documents provided to meet the safety requirements of the policy as part of the previous application process (i.e. VCA certificate, IAC or IVA 6) may be invalid. In these circumstances the Council will require the proprietor to submit the vehicle for a new basic voluntary IVA check and provide a valid IVA 6 certificate to the Licensing Team before the licence can be transferred back to the original vehicle.

3c.60 Where a wheelchair accessible vehicle has sustained damage that does not affect the validity of the documents provided to meet the safety requirements of the policy as part of the previous application process (i.e. VCA certificate, IAC or IVA 6), provided any repairs have been made by a garage approved and authorised by the insurance company, the Council will require the proprietor to submit confirmation from the insurance company that the repairs have been completed in accordance with the insurance assessors report and a new MOT certificate (in accordance with the requirements set out at paragraph 3c.69 above) to the Licensing Team before the licence can be transferred back to the original vehicle.

Vehicle compliance process

3c.61 Once an application has been validated and accepted a member of the Licensing Team will contact the applicant to arrange a vehicle compliance appointment. At the appointment a vehicle will be subject to a compliance check to ensure:

- That where the vehicle is sufficiently equipped for the provision of one reference wheelchair that the driver presenting the vehicle is capable of safely loading and securing the wheelchair into the vehicle (the vehicle, including seating, wheelchair restraint and ramp, will be photographed and the images held on the vehicle record file for future reference)
- That where fitted the meter seal is intact and the serial number matches the number provided in the meter calibration certificate. Where a meter seal has been tampered with and/or the serial number no longer matches a new certificate/report to confirm the vehicle is fitted with a taximeter in accordance with the requirements set out at paragraph 3c.68

- That where commercial breakdown cover has not been provided as part of the application, the vehicle has a full-size spare wheel or space saver design wheel and the tools to change a wheel
- At least one no smoking sign is on display in the vehicle
- That where a vehicle is wheelchair accessible a sign confirming the wheelchair accessibility is clearly displayed
- The drivers internal 'Vehicle Copy' of driver badge is displayed ensuring that the licence details and photo are visible to passengers
- Where CCTV is fitted, a CCTV operating in this vehicle sign is on display in the vehicle

3c.62 Once an appointment has been allocated, the applicant must give 24 hours notice to cancel an appointment otherwise they will be required to pay a missed appointment fee before any further appointments are made.

3c.63 Vehicle proprietors are required to return the existing licence plate (renewal/transfer vehicles only) at the compliance appointment. Where officers are satisfied that the vehicle meets the compliance checks, the new licence plates will be issued. If, however, the vehicle does not meet the compliance check, advice will be provided and a further appointment arranged.

V5 registration certificate

3c.64 The Council accepts that a full V5 registration certificate in the new owner's name is not always available upon first licence or as part of an application to transfer the licensee; however, the green new keepers slip of the V5 form and proof of purchase must be produced. Where possible a full copy of the previous owners V5 registration certificate should be obtained and submitted alongside the green new keepers slip.

3c.65 A full V5 registration certificate and proof of purchase must be produced upon transfer of a vehicle licence. Where possible a full copy of the previous owners V5 registration certificate should be obtained and submitted alongside the V5 green section.

3c.66 Where the green section has been produced on first licensing the vehicle or as part of an application to transfer the licensee, a full V5 registration certificate in the new owner's name must be produced to the Council within 7 days of the form being received by the owner of the vehicle.

3c.67 Where a licence is issued in advance of a full V5 registration certificate being received and where upon receipt of a full V5 registration certificate information is contained that indicates that a vehicle has, since the date of first registration, been recorded by the DVLA as having sustained structural damage resulting from a road traffic accident, as set out in paragraph 3c.26, the licence will be subject to review at a meeting of the Council's Licensing Panel.

Taximeters

3c.68 Private hire vehicles will not require a meter. However, if a meter is fitted, it must be:

- Certified by a notified body in accordance with the Measuring Instruments Directive (MID) (2004/22/EC), in particular Annex 007
- Fitted with a device, the use/action of which will bring the taximeter into action and cause the word 'HIRED' to appear on the face of the taximeter and such a device must be capable of being locked in a position such that the machinery of the taximeter is not in action and that no fare is recorded on the face of the taximeter

- Calibrated against a measured distance and by reference to the private hire operator's tariff
- Fixed to the vehicle with appropriate seals/appliances to prevent any person from tampering with the meter except by breaking, damaging, or permanently displacing the seals/appliances
- Have the word 'FARE' printed on the face of the meter in plain letters so as clearly to apply to the fare recorded thereon, and
- Supported by a Shropshire Council certificate/report of compliance (the Council will only accept a certificate that has been issued within the previous 10 working days)

MOT requirements[14]

3c.69 MOTs are required in accordance with the following requirements:

- Vehicles, up to 9 years from date of first registration, must be submitted for an MOT inspection at 6-monthly intervals (and any other inspection deemed necessary by an authorised officer) and the applicant must produce valid MOT certificates to the Council in this respect.
- Once a vehicle reaches the age of 9 years, in addition to the MOT certificate submitted with an application, it must have two other MOT tests per year; tests being spaced evenly throughout the year at four monthly intervals and the applicant must produce valid MOT certificates to the Council in this respect.
- MOT certificates will only be accepted by the Council within 10 working days of the date of issue from the MOT testing centre.
- MOTs must be undertaken by a 'Nominated Tester' or Authorised Vehicle Examiner at a Vehicle Testing Station appointed under Section 45 of The Road Traffic Act 1988; the cost of all tests must be met by the vehicle proprietor.
- The vehicle must have a valid MOT throughout the licence period.

3c.70 The Council will check the MOT history of a licensed vehicle to ensure that the vehicle has not been used to fulfil any private hire work on a failed MOT where the vehicle has failed for dangerous (do not drive until repaired) defects or category major (repair immediately) defects.

3c.71 With respect to a licensed vehicle, in the event that a proprietor fails to present to the Council an MOT test certificate as required (unless delayed or prevented by sufficient cause accepted and agreed by the Council), the Council may suspend the licence and require the proprietor of that private hire vehicle to return all the plates to the Council subject to any appeal period.

MOT failures, advisories and manufacturer recalls

3c.72 The Council's position in regard to MOT failures, advisories and manufacturer recalls is as follows:

- Where a vehicle fails an MOT under the category dangerous (do not drive until repaired) defects, DVSA guidance states that this will have a direct and immediate risk which will put passengers and other road users at risk or have a serious impact on the environment. The Council requires all repairs to be undertaken and a new MOT test certificate issued before the vehicle is used as a private hire vehicle.
- Where a vehicle fails an MOT under the category major (repair immediately) defects, the Council has a concern for the vehicle safety which may put passengers and other

[14] The requirement to submit an MOT will be in accordance with section 50 of the Local Government (Miscellaneous Provisions) Act 1976

road users at risk or have an impact on the environment. The Council requires all repairs to be undertaken and a new MOT test certificate issued before the vehicle is used as a private hire vehicle.

3c.73 Where a proprietor permits a vehicle that has failed an MOT for dangerous (do not drive until repaired) defects, or major (repair immediately) defects, to be used as a private hire vehicle, the licence will be referred to the Licensing Panel for review where an officer with delegated authority will consider each case on its own individual merits and will determine what action is appropriate and proportionate to the circumstances of the case.

3c.74 Shropshire Council reserves the right to require proprietors to rectify any items on an MOT certificate listed under minor or advisory information, or shown as an outstanding recall, and to provide evidence that the work has been completed to the Council within a timescale specified by the Council. In the event that a proprietor fails to rectify any items requested by the Council (unless delayed or prevented by sufficient cause accepted and agreed by the Council), the proprietor will be referred to a meeting of the Licensing Panel and/or the Licensing and Safety Sub-committee with a view to determining whether the licence ought to be suspended or revoked.

Insurance

3c.75 Certificates of insurance are required in accordance with the following requirements:

- The vehicle must have a valid certificate of insurance for private hire including proof of Public Liability insurance for a minimum of £5,000,000, throughout the licence period. Insurance stating covered for public hire will not be accepted for private hire vehicles.
- Certificates of insurance or cover notes issued to cover “any vehicle” or “any driver” must be accompanied by a schedule showing all the vehicles and drivers covered by the insurance as detailed in the certificate of insurance.
- Where a vehicle is insured by a proprietor and the proprietor allows another licensed Shropshire Council driver to drive their vehicle, or any vehicle is insured under a fleet insurance, the proprietor (as the policy holder) is responsible for ensuring that the driver of that vehicle is aware of the content of the policy, including its limitations and exclusions, and that the proprietor keeps records to this effect.
- Where an insurance cover note is provided a full certificate of insurance must be produced to the Council within 7 days of the certificate being received by the owner of the vehicle.
- The proprietor must also obtain information as to any requirement for them to have Employers Liability Indemnity; if there is such a requirement, it must be for a minimum of £5,000,000.

3c.76 With respect to a licensed vehicle, in the event that a proprietor fails to present to the Council a valid certificate of insurance as required (unless delayed or prevented by sufficient cause accepted and agreed by the Council), the Council may suspend the licence and require the proprietor of that private hire vehicle to return all the plates to the Council subject to any appeal period.

Vehicle not fit for the conveyance of passengers

3c.77 Where a proprietor has notified the Council that damage has occurred to a vehicle, otherwise than in accordance with relevant road traffic legislation, the Council may require photographic evidence of the damage or for the vehicle to be presented for inspection by an authorised officer of the Council.

3c.78 If the authorised officer determines that a vehicle is not fit for the purpose of conveying passengers an authorised officer of the Council may at that time suspend the licence and require the proprietor of the vehicle to return all the vehicles plates to the Council. The suspension will be lifted and the plate returned at such time when the condition of the vehicle is demonstrated, to the satisfaction of the Council, to be fit for conveying passengers.

3c.79 The officer may require the proprietor to arrange for a further MOT test, or in respect of wheelchair accessible vehicles a basic voluntary IVA test, to be undertaken and certificate produced before the vehicle will be permitted to operate; this is at the discretion of the authorised officer.

Use of information on and in relation to private hire vehicles

3c.80 Proprietors are encouraged to display the Council approved notice which sets out what passengers can expect from their drivers, and what drivers can expect from passengers who use their service.

3c.81 Proprietors may display advertisements, information, images and other material on private hire vehicles in accordance with the conditions set out at **Appendix L**. This is subject to prior written approval from the Council.

3c.82 Proprietors are encouraged to display an operator's name and/or trade name, as approved by the Council.

Closed circuit television (CCTV)

3c.83 Proprietors of private hire vehicles are encouraged to install closed circuit television (CCTV) systems providing such systems are installed in accordance with the appropriate legal framework and the Council has been notified, in writing, of their intention to do so.

3c.84 Proprietors of private hire vehicles must register with the Information Commissioners Office (ICO) and maintain a valid registration throughout the duration of the licence or until such a time as the CCTV has been removed from the licensed vehicle.

Trailers

3c.85 Private hire vehicles licensed by the Council are permitted to tow trailers when undertaking the licensed activity providing that the conditions set out at **Appendix M** are complied with at all times.

Parking/waiting

3c.86 Where a driver is illegally parked or creating an obstruction, i.e. in contravention of road traffic legislation and traffic regulation orders (this does not include a legitimate period of time where a private hire vehicle has stopped to drop off or pick up a fare), the driver's licence may be reviewed and such conduct may be deemed a reasonable cause to revoke or suspend the licence or to take any other appropriate action.

LPG converted vehicles

3c.87 The Council must be satisfied that any vehicle that has been converted to LPG has been converted correctly prior to a licence being issued. To this end, the Council will undertake checks with the UK LPG Vehicle Register.

3c.88 With respect to new applications, where it is established that a conversion has not been undertaken correctly and/or the vehicle is unsafe in any way, the Council will refuse the application.

3c.89 In the event that an LPG conversion has been undertaken on a vehicle during a current licensed period and the proprietor of the vehicle fails to notify the Council within 7 days of the conversion, an authorised officer of the Council will suspend the vehicle licence until such time as evidence is available on the UK LPG Vehicle Register.

3c.90 In the case of a conversion that has been undertaken on a vehicle during a current licensed period and it is subsequently established that the conversion has not been undertaken correctly and/or the vehicle is unsafe in any way, an authorised officer of the Council will suspend the vehicle licence until such time as the conversion has been undertaken correctly and/or it is demonstrated to the satisfaction of the Council that the vehicle is safe.

Production of records/documents

3c.91 Any records required to be retained in accordance with the licence and licence conditions must be produced, on request, to any authorised officer of the Council or to any police officer.

Licence conditions

3c.92 The applicable conditions relevant to a private hire vehicle licence are set out at **Appendix D;** these conditions must be complied with. These conditions are in addition to any matters set out within the main body of the Policy.

Main legal requirements

3c.93 Paragraphs 3c.94 to 3c.101 is not exhaustive and unless otherwise specified please refer to the Local Government (Miscellaneous Provisions) Act 1976 for a full list of legal requirements, offences and the maximum penalty upon conviction.

3c.94 Change of proprietor
The proprietor must give notice to the Council of any transfer in his interest in the private hire vehicle to a person other than the proprietor whose name is specified in the licence. Such notice must be given, in writing, within 14 days specifying the name and address of the person to whom the vehicle has been transferred.

3c.95 Inspection
The proprietor must present their private hire vehicle for inspection and testing by the Council as required, up to a maximum of 3 times during any one period of 12 months.

3c.96 The proprietor must provide, on request, the address where the private hire vehicle is kept and allow the Council to inspect and test the vehicle at that address.

3c.97 Accidents
The proprietor, notwithstanding their responsibilities under relevant road traffic legislation, must also report to the Council any accident as soon as reasonably practicable. However, where the vehicle has suffered accident damage that materially affects the safety,

performance or appearance of the vehicle, or the comfort or convenience of fare paying passengers, the driver must notify the Council within 72 hours.

3c.98 Production of documents

The proprietor must, on request by an authorised officer of the Council or a police officer, produce to the officer for inspection the private hire vehicle licence and insurance certificate within 7 days.

3c.99 Return of identification plates

Where a licence is revoked, suspended or expires, the proprietor, when required by the Council to do so must return the all identification plates within 7 days.

3c.100 Transporting children

As a minimum, private hire vehicles must be capable of complying with the requirements set out in the table below, for further guidance see https://www.gov.uk/child-car-seats-the-rules/when-a-child-can-travel-without-a-car-seat.

	Front seat	**Rear seat**	**Who is responsible?**
Child up to 3 years	Correct child restraints must be used	Correct child restraint must be used. If a restraint is not available in a licensed hackney carriage or private hire vehicle, the child may travel unrestrained.	Driver**
Child from 3rd birthday to 12th birthday or 135 cm in height whichever they reach first	Correct child restraints must be used	Where seat belts are fitted, the correct child restraint must be used. The child must use adult belt if the correct child restraint is not available as follows: in a licensed hackney carriage or private hire vehicle; or for a short distance in an unexpected necessity; or two occupied child restraints prevent fitting of a third. A child 3 years and over may travel unrestrained in the rear seat of a vehicle if seat belts are not fitted in the rear.	Driver**
Child over 135 cm in height or 12 or 13 years old	Seat belt must be worn if available*	Seat belt must be worn if available.	Driver**
Passengers aged 14 years and over	Seat belt must be worn if available*	Seat belt must be worn if available.	Passenger

*Vehicles built before 1965 are not required to have fitted seatbelts.

**Drivers must inform parents/carers that the decision to permit children to travel in the vehicle, without the correctly sized seat restraints (as permitted by relevant legislation) and with the obvious risks associated with such an action, remains with the parent/carer responsible for the children and not with the driver of the vehicle.

3c.101 Ranks/stands

A private hire vehicle must not wait (stop or park) on any rank/stand.

3d. EXECUTIVE PRIVATE HIRE VEHICLES

Summary

3d.1 Executive private hire vehicles are licensed in accordance with the provisions of the Local Government (Miscellaneous Provisions) Act 1976. Section 75(3) provides for the Council to issue an exemption notice. The Council will only consider an exemption where the applicant can demonstrate that the requirements of this section are fully satisfied. Executive private hire vehicles must not have the appearance of a hackney carriage or a standard private hire vehicle.

3d.2 When considering whether a vehicle is an executive private hire vehicle, by the nature of the work it does, Shropshire Council shall have regard to the Department for Transport's Private Hire Vehicle Licensing Guidance Note (November 2023).

3d.3 The Council legally cannot limit the number of executive private hire vehicle licences that it will issue.

3d.4 The Council will not licence a vehicle for hire and reward which is licensed by another local authority or allow or permit a private hire vehicle identification plate issued by another authority to be displayed on the vehicle.

Business model for executive private hire vehicles

3d.5 Executive private hire vehicles must only be used for executive service, which is defined as the provision of a vehicle or vehicles that is/are **exclusively** used for executive private hire work and **not** for 'normal' or general-purpose private hire use.

3d.6 The type of work that is considered 'executive service' includes, but is not restricted to:

- Exclusive business to business contracts, i.e. to transport employees and clients on business related journeys under a written contract to a company or person.
- Bookings for certain clients (for example politicians and celebrities) who, for security or personal safety reasons, would not want the vehicle to be identifiable as a private hire vehicle.
- Bookings for certain clients who want to hire an executive vehicle at a premium rate, where the applicant can demonstrate that the vehicle is used solely for the purposes of this type of hire.

3d.7 Bookings taken in respect of clients who require an executive private hire must be paid for on account. No payment can be made to the driver of the vehicle at time of hiring.

3d.8 Applicants must be able to demonstrate the vehicle will be used for executive service by:

- Providing written confirmation from their private hire operator that the vehicle will only undertake executive service.
- Providing written confirmation that the vehicle will be used solely for executive service and not for 'normal' or general private hire use.

Applicant

3d.9 The applicant for a vehicle licence must be the person who is the legal owner of the vehicle concerned and entitled to have ownership of the vehicle[15].

Fit and proper person

3d.10 The proprietor of a licensed executive private hire vehicle provides a public service that impacts on public safety. On this basis, the Council will not licence a vehicle as an executive private hire vehicle unless it is satisfied that the proprietor of the vehicle meets all the criteria to be deemed a fit and proper person as set out in **Appendix I**.

Proprietors who apply for an executive private hire vehicle licence and who hold a valid Shropshire Council hackney carriage/private hire driver licence or a valid Shropshire Council private hire operator licence

3d.11 The Council adopts the same principles when determining whether an applicant is a fit and proper person to hold a vehicle licence as it does to persons applying for a driver licence. In this respect, applicants are required to have due regard, as appropriate, to the requirements and information set out at paragraphs 3a.4 to 3a.24 of the Policy.

Proprietors who apply for an executive private hire vehicle licence and who <u>do not</u> hold a valid Shropshire Council hackney carriage/private hire driver licence or a valid Shropshire Council private hire operator licence

3d.12 In considering the fit and proper person test, all applicants on initial application must provide a basic criminal record disclosure from the Disclosure and Barring Service that has been issued by the Disclosure and Barring Service within the previous three months of the date that the application is received by the Council. All applicants on renewal must provide a basic criminal record disclosure that has been issued by the Disclosure and Barring Service within the previous 12 months of the date that the application is received by the Council. On new and renewal applications the Council will also make additional enquiries through its adults and children's social care teams, directly with West Mercia Police (and other relevant police forces, where appropriate), other relevant local authorities (particularly Telford & Wrekin Council and City of Wolverhampton Council) and any other appropriate organisation, agency or person in order to ensure the Council is in a position to make as accurate an assessment of the applicant's fitness to hold a licence as is reasonably practicable.

3d.13 With specific reference to existing licence holders, where there is any cause for a licence to be reviewed, the Council will make additional enquiries through its adults and children's social care teams, directly with West Mercia Police (and other relevant police forces, where appropriate), other relevant local authorities (particularly Telford & Wrekin Council and City of Wolverhampton Council) and any other appropriate organisation, agency or person in order to ensure the Council is in a position to make as accurate an assessment of the licence holders fitness to hold a licence as is reasonably practicable. Depending on the circumstances of the case, the Council may request the licence holder to consent to a further basic criminal record disclosure, the cost of which lies with the licence holder. Where a licence holder refuses to consent to a further check the Council will take this into consideration in determining their continuing fitness to hold a licence.

3d.14 When assessing the fitness of an applicant to hold an executive private hire vehicle proprietors licence, the Council will consider the applicant's criminal history as a whole,

[15] There is no legal definition of proprietor within relevant legislation; however, the Council has taken the view that proprietor means the legal owner based on common usage of the term, e.g. where the vehicle is on a long-term lease agreement, a copy of the agreement must be provided with an application.

together with all other relevant evidence, information and intelligence including their history (e.g. complaints and positive comments from the public, compliance with licence conditions and willingness to co-operate with licensing officers) whilst holding a licence from the Council or any other authority. Particular attention will be given to patterns of behaviour, irrespective of the timescale over which they have occurred, both in terms of proven criminal offences and other behaviour/conduct that may indicate the safety and welfare of the public may be at risk from the applicant.

3d.15 In addition, an important element associated with the fitness to hold a licence is the appearance and behaviour of an applicant. Consequently, the Council requires all applicants to maintain a reasonable standard of appearance and behaviour when in contact and dealing with all persons, including but not limited to, other road users, pedestrians, customers, the general public, other licensed operators and drivers of hackney carriage and private hire vehicles, Council officers and elected members at all times. Applicants must also co-operate with any reasonable request made by an authorised officer of the Council or any police officer.

3d.16 It must also be recognised that the Council will consider all relevant criminal history, behaviour and conduct irrespective of whether the specific history, behaviour or conduct occurred whilst applicants were directly engaged in hackney carriage or private hire licensed work at the time or whether they occurred during the applicants' own personal time. The Council considers a person or individual who has a propensity to commit offences and/or demonstrate unacceptable conduct whilst not engaged in hackney carriage or private hire work to be equally as serious as offences and/or unacceptable conduct committed whilst engaged in hackney carriage or private hire work.

Criminal record disclosure

3d.17 All unspent convictions, including cautions, will be taken into account when considering a person's suitability to hold a licence. Consequently, applicants are required to provide details of <u>all</u> unspent convictions and cautions, including driving endorsements (driving convictions) and disqualification periods relating to traffic offences.

3d.18 Although cautions are generally not as serious as convictions, ordinarily as a result of the circumstances under which they are offered, they do require an admission of guilt before they can be issued which is equivalent to a guilty plea on prosecution. Consequently, a caution is regarded in exactly the same way as a conviction. Fixed penalties, community resolutions or similar sanctions will also be considered in the same way as a conviction on the basis that payment of a fixed penalty indicated an acceptance of guilt and a community resolution can only be imposed following an admission of guilt. As a result, each of these sanctions is a valuable indication as to an applicant's character and whether they are a fit and proper person to hold or be granted a licence.

3d.19 A criminal record does not automatically bar an applicant from holding a licence; however, it will be a <u>significant factor</u> when determining whether a licence ought to be granted or not. Where an applicant has previous criminal convictions, these will be considered in line with the guidance set out in **Appendix I**. However, the over-riding consideration will always be to ensure the safety and welfare of the public.

3d.20 Persons who have not been resident within the United Kingdom for the five years prior to submitting an application, will be required to produce a certificate of good conduct or equivalent document (at their own cost) issued by the relevant Embassy or High Commission. The certificate must be authenticated, translated and sealed by the Embassy or High Commission. In the event that an applicant is not able to obtain a certificate of

good conduct, they may submit a statutory declaration with regard to their conduct, which must be completed in the presence of a practising solicitor. The Council may contact the relevant Embassy, High Commission, solicitor or other appropriate body to verify any documents provided. Contact details for Embassies and High Commissions can be found from the Foreign, Commonwealth & Development Office (FCDO) on the GOV.UK website at https://www.gov.uk/government/world. The FCDO may be contacted for further assistance by telephone on 020 7008 5000, by email at fcdo.correspondence@fcdo.gov.uk or by post at the FCDO London Office, King Charles Street, London, SW1A 2AH.

3d.21 Applicants who have spent three continuous months or more living outside the United Kingdom, during the period of their licence, will be required to produce a certificate of good conduct or equivalent document (at their own cost). This certificate must be issued by the relevant Embassy or High Commission for the country or countries lived in during this period and meet the requirements as set out at 3d.20 above. It is recognised that some countries will not provide a certificate of good conduct unless the individual has been resident for six months or more. Where a relevant Embassy or High Commission refuse to issue a certificate of good conduct, applicants must provide written confirmation from the Embassy of any refusal to the Licensing Team.

Non-conviction information

3d.22 In addition to conviction/caution information, applicants are expected to provide details, within 48 hours of all warnings, driving endorsements (driving convictions)/disqualification periods relating to traffic offences, fixed penalties, community resolutions, non-molestation orders and any other similar sanctions, together with any charges or arrests (including any from outside the UK) that they are the subject of in connection with criminal offences, whether or not actually charged with the offence, and details of any allegations of involvement in criminal activity or where they have been questioned in connection with any alleged criminal activity or inappropriate/unacceptable behaviour or any other relevant pending matter.

3d.23 Where an applicant is the subject of an outstanding charge or summons, their application may continue to be processed; however, depending on the circumstances, it is unlikely that a decision on the application will be made until the conclusion of the criminal proceedings. Where the outstanding charge or summons involves a serious offence and/or the individual's offending history and behaviour/conduct indicates a pattern of unlawful or unacceptable behaviour/character traits, then the application is likely to be refused.

3d.24 Where there is evidence/information that an applicant has been arrested or charged but not convicted of offences and the nature of this evidence/information suggests the applicant may not be a fit and proper person, the Council will give serious consideration to refusing an application or revoking an existing licence.

Period of licence

3d.25 Vehicle licences will be issued for a maximum period of 12 months.

Vehicle licence plates

3d.26 The external rear plate and the internal plate, identifying the vehicle as an executive private hire vehicle, show the licence details on a gold background with the Shropshire Council logo.

Vehicle specification

3d.27 The Council requires executive private hire vehicles to comply with the following requirements:

3d.28 The Council does not provide a list of specific vehicles that it will definitely consider appropriate to be licensed as executive private hire vehicles. However, any vehicle being plated as an executive vehicle must be classed as a large family vehicle, be of saloon, estate, hatchback or people carrier type.

3d.29 Relevant considerations as to whether a vehicle meets an executive standard include, but are not limited to, cost, reputation, specification, appearance, perception, superior comfort levels and seating specification, e.g., whether the vehicle offers additional space per passenger compared to standard vehicles.

3d.30 Applicants considering applying for an executive plate are strongly advised to contact the licensing team in advance of purchasing any vehicle to ensure it is appropriate to be licensed.

3d.31 Executive private hire vehicles must comply with the following requirements:

- Be in immaculate condition, in a uniform colour, with no visible defects and free from dents, scratches or rust to the external bodywork or internal trim and seating
- Have high level interior trim and leather seating
- Be large enough to carry at least 3 adult passengers and their luggage
- Have air conditioning or climate control
- Have alloy wheels
- Be maintained to a very high standard

3d.32 In addition:

- The passenger capacity will be restricted to the number of seats for adults
- Council executive plates must be displayed
- The sale of alcohol in the vehicle must be covered by a separate licence in accordance with the Licensing Act 2003 (for further information please contact the Council's Licensing Team)
- The advertising or display of information, images and other material in or on an executive vehicle is prohibited
- A taxi meter must not be fitted

Emissions/Age Restrictions

3d.33 Vehicles that are **not** wheelchair accessible vehicles must comply with the following:

Renewal/New Application	Fuel	Period	European Emission / Age Standard
New	Petrol	1 April 2027 to 31 March 2032	Euro 5 and where the vehicle is less than 10 years old from date of first registration
New	Diesel	1 April 2027 to 31 March 2032	Euro 6 and where the vehicle is less than 6

			years old from date of first registration
New	Full electric	1 April 2027 to 31 March 2032	Any age
New	Hybrid petrol	1 April 2027 to 31 March 2032	Less than 10 years old from date of first registration
New	Hybrid diesel	1 April 2027 to 31 March 2032	Less than 8 years old from date of first registration
New	LPG	1 April 2027 to 31 March 2032	Less than 10 years old from date of first registration
Renewal	Petrol	1 April 2027 to 31 March 2032	Euro 5 and where the vehicle is less than 12 years old from date of first registration
Renewal	Diesel	1 April 2027 to 31 March 2032	Euro 6 and where the vehicle is less than 10 years old from date of first registration
Renewal	Full electric	1 April 2027 to 31 March 2032	Any age
Renewal	Hybrid petrol	1 April 2027 to 31 March 2032	Less than 12 years old from date of first registration
Renewal	Hybrid diesel	1 April 2027 to 31 March 2032	Less than 10 years old from date of first registration
Renewal	LPG	1 April 2027 to 31 March 2032	Less than 12 years old from date of first registration

3d.34 The following is applicable to **wheelchair accessible vehicles only**. Vehicles that **are** wheelchair accessible vehicles must comply with the following:

Renewal/New Application	Fuel	Period	European Emission / Age Standard
New	Petrol	1 April 2027 to 31 March 2032	Euro 5 and where the vehicle is less than 12 years old from date of first registration
New	Diesel	1 April 2027 to 31 March 2032	Euro 6 and where the vehicle is less than 6 years old from date of first registration
New	Full electric	1 April 2027 to 31 March 2032	Any age
New	Hybrid petrol	1 April 2027 to 31 March 2032	Less than 12 years old from date of first registration

New	Hybrid diesel	1 April 2027 to 31 March 2032	Less than 10 years old from date of first registration
New	LPG	1 April 2027 to 31 March 2032	Less than 12 years old from date of first registration
Renewal	Petrol	1 April 2027 to 31 March 2032	Euro 5 and where the vehicle is less than 15 years old from date of first registration
Renewal	Diesel	1 April 2027 to 31 March 2032	Euro 6 and where the vehicle is less than 12 years old from date of first registration
Renewal	Full electric	1 April 2027 to 31 March 2032	Any age
Renewal	Hybrid petrol	1 April 2027 to 31 March 2032	Less than 15 years old from date of first registration
Renewal	Hybrid diesel	1 April 2027 to 31 March 2032	Less than 12 years old from date of first registration
Renewal	LPG	1 April 2027 to 31 March 2032	Less than 15 years old from date of first registration

NB The charts above provide information for the licensing of vehicles up to 31 March 2032 and the maximum age for a vehicle to remain licensed. The Council does not currently intend to make any changes in the future to reduce the maximum age for a vehicle to remain licensed where a vehicle had already been licensed before 31 March 2032. However, the Policy will be subject to continuous evaluation and, if necessary, can be formally reviewed at any time.

Safety

3d.35 The Council will not licence any new vehicle that since the date of first registration has been recorded by the DVLA as having sustained structural damage resulting from a road traffic accident (an insurance 'Write Off' under the DVLA's Category S – Structural damage classification for vehicle that has sustained damage after 1 October 2017 or Category C where a vehicle has sustained damage, rendering it beyond economical repair, prior to 1 October 2017). This information can be found in the Special Notes section of the V5 registration Certificate.

3d.36 Vehicles must meet the following safety standards as defined by the European New Car Assessment Programme (NCAP). In this respect, the Overall Rating must be used. Where the Overall Rating is not available, the Adult Rating is the relevant standard:

- All new vehicle applications submitted on or after 1 April 2027 are required to be NCAP 5 star.
- All renewal vehicle applications submitted on or after 1 April 2027 are required to be NCAP 5 star.

NB Applicants wishing to purchase a new vehicle that meets the requirements of the age/emissions section of this Policy, however, to which no NCAP safety rating has been applied, are advised to contact the Council for advice prior to purchase. An application may be considered if the applicant is able to demonstrate exceptional circumstances to satisfy the Council that it would not frustrate the purposes of this Policy or compromise public safety if the licence were granted.

3d.37 The requirements of 3d.36 do not apply to private hire vehicles that have been specifically constructed or converted for disability access and any M1 (not M2 or N1) vehicle that has been adapted to be a private hire vehicle (and has been accepted by an authorised officer of the council to be licensed only as a private hire vehicle) where:

- The vehicle has come off the production line as a purpose-built wheelchair accessible vehicle there will be a Vehicle Certification Agency (VCA) certificate which demonstrates that the vehicle has been constructed to an acceptable safety standard, providing there have been no changes to the layout of the vehicle since the VCA was issued.
- The vehicle is modified after production, but before first registration, there may be an Individual Approval Certificate (IAC) available, which will demonstrate that the adaptations have been tested by DVSA (VOSA) and are to an acceptable safety standard, providing there have been no changes to the conversion since the IAC was issued. This may be referred to as a Statutory Individual Vehicle Approval.
- Vehicles that are converted for disability access after first registration have been submitted for a Basic Voluntary IVA (Individual Vehicle Approval). This is the route that vehicles are required to take where there is no VCA certificate or IAC available. Vehicles must be presented to the DVSA for a Basic Voluntary IVA inspection Class P – Personal Import. If the vehicle passes the inspection it will receive a Certificate of Compliance (IVA 6). The Voluntary IVA checks the whole of the vehicle, not only the parts that have been converted and is similar to a very strict MOT test.

3d.38 Where a proprietor has notified the Council that a licensed vehicle has sustained structural damage from a road traffic accident resulting in a DVLA classification under Category S – Structural damage (vehicle that has sustained damage after 1 October 2017) or Category C (vehicle has sustained damage, rendering it beyond economical repair, prior to 1 October 2017), any documents provided to meet the safety requirements of the policy as part of the previous application process (i.e. NCAP safety report or IVA certificate) will be invalid. The proprietor will be required to submit the vehicle for a new basic voluntary IVA check and provide a valid IVA certificate to the Licensing Team.

List of Designated Wheelchair Accessible Vehicles

3d.39 Section 167 of the Equality Act 2010 requires all local authorities to maintain a list of designated wheelchair accessible vehicles.

3d.40 All wheelchair accessible vehicles must be capable of transporting the user of a “reference wheelchair” and will be included within the Council’s list of designated vehicles. Proprietors are encouraged to consider wheelchair accessible vehicles which are capable of carrying wheelchairs larger than the reference size. Specifications for a “reference wheelchair” can be found at **Appendix J**.

3d.41 Section 172 of the Equality Act 2010 provides for an appeal to be made against the decision to include a vehicle on the list of designated wheelchair accessible vehicles. Any appeal must be made to the Magistrates Court within 28 days of the vehicle being included on the list.

3d.42 Proprietors have a responsibility to ensure that any Shropshire Council licensed driver who drives one of their wheelchair accessible vehicles is made aware of their duties in respect of carrying persons using wheelchairs when driving a designated wheelchair accessible vehicle.

3d.43 Failure to comply with the duties listed under section 165 of the Equality Act 2010 is a criminal offence.

Other Requirements

3d.44 Vehicles must not seat more than eight passengers (not including the driver) and:

(a) Be a Light Passenger Vehicle as defined by section 85 of the Road Traffic Act 1988 and have a minimum of 4 wheels
(b) Provide sufficient means by which any person in the carriage may communicate with the driver
(c) Must not be fitted with 3D, 4D, ghost or sticker vehicle registration plates
(d) Have a watertight roof or covering
(e) Provide at least two windows on each side of the vehicle of which one window on one side must have a means of opening/closing
(f) Tinted windows will only be permitted in accordance with the manufacturers or specialist coachbuilder's specification and must comply with the Road Vehicles (Construction & Use) Regulations 1986 as amended. The Council will not permit any form of additional film to darken or tint the glass on any part of the vehicle
(g) Have seats that are properly cushioned and covered
(h) Have a floor provided with a proper carpet, mat, or other suitable covering
(i) Have fittings (including fittings that are used to secure wheelchairs to the floor of the vehicle) and furniture in a clean condition and be well maintained and in every way fit for executive service
(j) Provide means for securing luggage if the carriage is so constructed as to carry luggage
(k) Where tilting passenger seats are fitted the seat must:
    - Be forward facing (with the exception of the fold down seats fitted onto the bulkhead/partition of a purpose-built vehicle)
    - Designed for use by an adult
    - Have a three-point seatbelt
(l) Have a minimum of four passenger doors including an entry/exit point for the driver
(m) Be maintained in a sound mechanical and structural condition at all times
(n) Have a full size spare wheel or space saver design wheel and the tools to change a wheel OR commercial breakdown cover which includes tyre repair/replacement (in any event where a spare wheel has been used, it is only to permit the current fare to be completed and any defective wheel must be replaced before taking another fare to ensure passenger safety); all pneumatic tyres, including the spare, must comply with the vehicle manufacturer's specification and any relevant legislation
(o) Be maintained in a clean and safe condition at all times from both exterior and interior perspectives
(p) Proprietors are encouraged to have provision for the legal transportation of a minimum of one "reference wheelchair" at all times. However, proprietors are encouraged to consider vehicles which are capable of carrying wheelchairs larger than the reference size. Specifications for a "reference wheelchair" can be found at **Appendix J**

(q) When transporting a wheelchair user, where a seat has to be removed in order to accommodate a passenger in a wheelchair, proprietors must store the seat securely away from the passengers and driver (e.g. in the boot or other suitable storage facility away from the vehicle)

(r) Where a mechanical ramp is fitted, comply with requirements of the Lifting Operations and Lifting Equipment Regulations 1998

(s) Where a non-mechanical ramp is fitted, comply with the relevant provisions of the Provision and Use of Work Equipment Regulations 1998

(t) When transporting a wheelchair user, where the wheelchair user chooses to transfer to a passenger seat, proprietors must store the wheelchair securely away from the passengers and driver (e.g. in the boot)

New application process

3d.45 The application form must be fully completed and include all relevant information, supporting documentation and appropriate fee.

3d.46 The full fee for the licence is payable at the time the application is submitted. (This includes any application to transfer a vehicle licence onto another vehicle)

3d.47 If any part of the application form is incomplete or the relevant information or supporting documentation is not provided, the applicant will be requested to provide the missing information/documentation and informed that the application will not be processed until such time as all the information/documentation is provided. If the applicant fails to provide all the information to complete the application, the application will be rejected.

3d.48 Once an application has been accepted by the Licensing Team as a valid application the application process must be completed within 6 months unless prevented from doing so by matters that are outside the applicant's control. When an application is not completed within this timescale the application will be referred to the Licensing Panel for determination where an officer with delegated authority will consider each case on its own individual merits and will determine what action is appropriate and proportionate to the circumstances of the case.

3d.49 Any person wishing to licence an executive private hire vehicle must:

- Submit a completed application form
- Submit a completed reference form, unless the applicant is the holder of a hackney carriage and private hire driver licence or private hire operator licence issued by Shropshire Council (NB the referees must be from either professional or business sources who have known the applicant for at least two years. In addition, the Council will not accept references from family members, drivers, operators, vehicle proprietors licensed with any local authority or, where relevant, the applicant's future employer unless there is satisfactory evidence of exceptional circumstances that are accepted by the Council). The Council reserves the right to refuse a reference where the Council deems the referee is not acceptable
- Pay the appropriate licence fee
- Provide written confirmation from their private hire operator that the vehicle will only undertake executive work, i.e. evidence of business-to-business contracts
- Provide photographs to prove that the vehicle complies with the requirements of paragraphs 3d.27 to 3d.31 above
- Provide a basic criminal record disclosure from the Disclosure and Barring Service, unless the applicant is the holder of a hackney carriage and private hire driver licence or private hire operator licence issued by Shropshire Council (applicants can apply to

https://www.gov.uk/request-copy-criminal-record). A basic criminal record disclosure will only be accepted by the Council within three months of the date of issue from the Disclosure and Barring Service

- Provide a valid MOT (in accordance with the requirements set out at paragraph 3d.77 below)
- Provide a valid certificate of insurance for private hire including proof of Public Liability insurance for a minimum of £5,000,000, insurance stating covered for public hire will not be accepted for private hire vehicles (in accordance with the requirements set out at paragraph 3d.83 below)
- Provide the full V5 registration certificate (note the alternative interim measure outlined in paragraphs 3d.73 to 3d.76)
- Provide evidence of compliance with the relevant European Emission/Age Standards as set out in paragraph 3d.33, or in the case of a wheelchair accessible vehicle as set out in paragraph 3d.34, either at the point of vehicle construction or by a subsequent adaption or conversion approved by the Council - the compliance must be relevant to the engine installed in the vehicle and this must be reflected in the V5 registration certificate
- Provide evidence of compliance with the relevant European New Car Assessment Programme (NCAP) rating as set out in paragraphs 3d.35 to 3d.37
- Proof of vehicle tax
- Where the vehicle is fitted with a mechanically operated ramp, provide a valid certificate/report confirming the ramp complies with the requirements of the Lifting Operations and Lifting Equipment Regulations 1998 (NB The proprietor is responsible for ensuring that a competent person carries out the necessary checks in accordance with these Regulations.)
- Where non-mechanical ramps are used, provide confirmation from the proprietor of the vehicle that the ramps comply with the relevant provisions of the Provision and Use of Work Equipment Regulations 1998. (NB Licensing officers will check that the provision of non-mechanical ramps is being maintained by the vehicle proprietor.)
- Where fittings are used to secure wheelchairs to the floor of a vehicle, provide a certificate/report confirming that all the fittings are intact and are free from damage and wear

3d.50 Once an application has been validated and accepted, the Council will:

- Make enquiries through the Council's adults and children's social care teams, West Mercia Police (or other relevant force), other local authorities and any other organisation, agency or person that the Council has deemed appropriate to seek information from
- Where applicable, write to the referees provided

3d.51 **NB** For partnerships or companies, the requirements set out in paragraphs 3d.9 to 3d.24 apply to all partners and directors/company secretaries.

3d.52 Where an application is received to change the proprietor of an executive private hire vehicle licence (transfer of licensee), the new proprietor must fulfil the requirements as set out in paragraphs 3d.9 to 3d.24 above.

3d.53 Paragraphs 3d.9 to 3d.24 above do not apply to applicants to transfer a vehicle licence onto another vehicle, on a temporary basis, by an accident management company.

3d.54 Providing the above are satisfied, Officers will grant the licence. In all other cases, the application will be referred to the Licensing Panel for determination. Each application will be decided on its merits. However, there is a presumption that unless an applicant can

demonstrate exceptional circumstances the application will be refused. Whilst it is neither possible nor prudent to draw up a list of what might amount to exceptional circumstances, an applicant who claims that exceptional circumstances exist will be expected to be able to satisfy the Council that it would not frustrate the purposes of this Policy or compromise public safety if the licence were granted. The applicant will be notified in writing if their application is to be determined at a meeting of the Licensing Panel.

Renewal of a licence

3d.55 To allow the vehicle's licence to be renewed, a renewal application form must be received by the Council at least 10 working days prior to the expiry date of the original licence (unless there is satisfactory evidence of exceptional circumstances that are accepted by the Council) to allow the Council sufficient time to process the renewal application. It is the Council's intention to process all valid renewal applications within 10 working days; hence, where applicants fail to submit their renewal application within this timescale, the risk that their licence will expire increases. Once a licence expires, is revoked (subject to a statutory appeal process) or surrendered, it ceases to exist and applicants would not be permitted to drive the private hire vehicle in these circumstances.

3d.56 Once a licence ceases to exist a renewal application will not be accepted by the Council (unless there is satisfactory evidence of exceptional circumstances that are accepted by the Council) and the applicant must submit a new vehicle licence application which will be processed in accordance with the Council's new application process.

Renewal application process

3d.57 The application form must be fully completed and include all relevant information, supporting documentation and appropriate fee.

3d.58 The full fee for the licence is payable at the time the application is submitted. (This includes any application to transfer a vehicle licence onto another vehicle)

3d.59 If any part of the application form is incomplete or the relevant information or supporting documentation is not provided, the applicant will be requested to provide the missing information/documentation and informed that the application will not be processed until such time as all the information/documentation is provided. If the applicant fails to provide all the information to complete the application, the application will be rejected.

3d.60 Once an application has been accepted by the Licensing Team as a valid application the application process must be completed within 6 months unless prevented from doing so by matters that are outside the applicant's control. When an application is not completed within this timescale the application will be referred to the Licensing Panel for determination where an officer with delegated authority will consider each case on its own individual merits and will determine what action is appropriate and proportionate to the circumstances of the case.

3d.61 Any person wishing to renew a licence for an executive private hire vehicle must:

- Submit a completed application form
- Pay the appropriate licence fee
- Provide copies of the relevant private hire operator records to evidence the nature of the work carried out over the previous licence period. Operator records must also detail evidence of business-to-business contracts with clients which require vehicles supplied to be executive in nature

- Provide a basic criminal record disclosure from the Disclosure and Barring Service, unless the applicant is the holder of a hackney carriage and private hire driver licence or private hire operator licence issued by Shropshire Council (applicants can apply to https://www.gov.uk/request-copy-criminal-record). A basic criminal record disclosure will only be accepted by the Council within 12 months of the date of issue from the Disclosure and Barring Service
- Provide a valid MOT (in accordance with the requirements set out at paragraph 3d.77 below)
- Provide a valid certificate of insurance for private hire including proof of Public Liability insurance for a minimum of £5,000,000, insurance stating covered for public hire will not be accepted for private hire vehicles (in accordance with the requirements set out at paragraph 3d.83 below)
- Where the vehicle is fitted with a mechanically operated ramp, provide a valid certificate/report confirming the ramp complies with the requirements of the Lifting Operations and Lifting Regulations 1998 (NB The proprietor is responsible for ensuring that a competent person carries out the necessary checks in accordance with these Regulations.)
- Where non-mechanical ramps are used, provide confirmation from the proprietor of the vehicle that the ramps comply with the relevant provisions of the Provision and Use of Work Equipment Regulations 1998. (NB Licensing officers will check that the provision of non-mechanical ramps is being maintained by the vehicle proprietor.)
- Where fittings are used to secure wheelchairs to the floor of a vehicle, provide a certificate/report confirming that all the fittings are intact and are free from damage and wear

3d.62 Once an application has been validated and accepted, the Council will:

- Complete an online check of the MOT history for the vehicle
- Complete an online check to ensure that the vehicle has valid road tax
- Where applicable, make enquiries through the Council's adults and children's social care teams, West Mercia Police (or other relevant force), other local authorities and any other organisation, agency or person that the Council has deemed appropriate to seek information from

3d.63 **NB** For partnerships or companies, the requirements set out in paragraphs 3d.9 to 3d.24 apply to all partners and directors/company secretaries.

3d.64 Where an application is received to change the proprietor of an executive private hire vehicle licence (transfer of licensee), the new proprietor must fulfil the requirements as set out in paragraphs 3d.9 to 3d.24 above.

3d.65 Providing the above are satisfied, Officers will grant the licence. In all other cases, the application will be referred to the Licensing Panel for determination. Each application will be decided on its merits. However, there is a presumption that unless an applicant can demonstrate exceptional circumstances the application will be refused. Whilst it is neither possible nor prudent to draw up a list of what might amount to exceptional circumstances, an applicant who claims that exceptional circumstances exist will be expected to be able to satisfy the Council that it would not frustrate the purposes of this Policy or compromise public safety if the licence were granted. The applicant will be notified in writing if their application is to be determined at a meeting of the Licensing Panel.

Transfer of a licence (Change of vehicle)

3d.66 All requests to transfer a vehicle licence (change of vehicle) onto another vehicle will be treated as a new vehicle application (in accordance with the requirements set out at paragraphs 3d.45 to 3d.51).

3d.67 Where a proprietor has notified the Council that damage has occurred to a licensed vehicle, resulting in the transfer of licence to a temporary insurance replacement vehicle, proprietors will be required to provide evidence to demonstrate the damage which has occurred to the vehicle, i.e. insurance assessors report.

3d.68 Where a wheelchair accessible vehicle has sustained structural damage from a road traffic accident resulting in a DVLA classification under Category S – Structural damage (vehicle that has sustained damage after 1 October 2017) or Category C (vehicle has sustained damage, rendering it beyond economical repair, prior to 1 October 2017), any documents provided to meet the safety requirements of the policy as part of the previous application process (i.e. VCA certificate, IAC or IVA 6) may be invalid. In these circumstances the Council will require the proprietor to submit the vehicle for a new basic voluntary IVA check and provide a valid IVA 6 certificate to the Licensing Team before the licence can be transferred back to the original vehicle.

3d.69 Where a wheelchair accessible vehicle has sustained damage that does not affect the validity of the documents provided to meet the safety requirements of the policy as part of the previous application process (i.e. VCA certificate, IAC or IVA 6), provided any repairs have been made by a garage approved and authorised by the insurance company, the Council will require the proprietor to submit confirmation from the insurance company that the repairs have been completed in accordance with the insurance assessors report and a new MOT certificate (in accordance with the requirements set out at paragraph 3d.77 above) to the Licensing Team before the licence can be transferred back to the original vehicle.

Vehicle compliance process

3d.70 Once an application has been validated and accepted a member of the Licensing Team will contact the applicant to arrange a vehicle compliance appointment. At the appointment a vehicle will be subject to a compliance check to ensure:

- That where the vehicle is sufficiently equipped for the provision of one reference wheelchair that the driver presenting the vehicle is capable of safely loading and securing the wheelchair into the vehicle (the vehicle, including seating, wheelchair restraint and ramp, will be photographed and the images held on the vehicle record file for future reference)
- That where commercial breakdown cover has not been provided as part of the application, the vehicle has a full-size spare wheel or space saver design wheel and the tools to change a wheel
- At least one no smoking sign is on display in the vehicle
- That where a vehicle is wheelchair accessible a sign confirming the wheelchair accessibility is clearly displayed
- The drivers internal 'Vehicle Copy' of driver badge is displayed ensuring that the licence details and photo are visible to passengers
- Where CCTV is fitted, a CCTV operating in this vehicle sign is on display in the vehicle

3d.71 Once an appointment has been allocated, the applicant must give 24 hours notice to cancel an appointment otherwise they will be required to pay a missed appointment fee before any further appointments are made.

3d.72 Vehicle proprietors are required to return the existing licence plate (renewal/transfer vehicles only) at the compliance appointment. Where officers are satisfied that the vehicle meets the compliance checks, the new licence plates will be issued. If, however, the vehicle does not meet the compliance check, advice will be provided and a further appointment arranged.

V5 registration certificate

3d.73 The Council accepts that a full V5 registration certificate in the new owner's name is not always available upon first licence or as part of an application to transfer the licensee; however, the green new keepers slip of the V5 form and proof of purchase must be produced Where possible a full copy of the previous owners V5 registration certificate should be obtained and submitted alongside the green new keepers slip.

3d.74 A full legal registration certificate and proof of purchase must be produced upon transfer of a vehicle licence. Where possible a full copy of the previous owners V5 registration certificate should be obtained and submitted alongside the V5 green section.

3d.75 Where the green section has been produced on first licensing the vehicle or as part of an application to transfer the licensee, a full V5 registration certificate in the new owner's name must be produced to the Council within 7 days of the form being received by the owner of the vehicle.

3d.76 Where a licence is issued in advance of a full V5 registration certificate being received and where upon receipt of a full V5 registration certificate information is contained that indicates that a vehicle has, since the date of first registration, been recorded by the DVLA as having sustained structural damage resulting from a road traffic accident, as set out in paragraph 3d.35, the licence will be subject to review at a meeting of the Council's Licensing Panel.

MOT requirements[16]

3d.77 MOTs are required in accordance with the following requirements:

- Vehicles, up to 9 years from date of first registration, must be submitted for an MOT inspection at 6-monthly intervals (and any other inspection deemed necessary by an authorised officer) and the applicant must produce valid MOT certificates to the Council in this respect.
- Once a vehicle reaches the age of 9 years, in addition to the MOT certificate submitted with an application, it must have two other MOT tests per year; tests being spaced evenly throughout the year at four monthly intervals and the applicant must produce valid MOT certificates to the Council in this respect.
- MOT certificates will only be accepted by the Council within 10 working days of the date of issue from the MOT testing centre.
- MOTs must be undertaken by a 'Nominated Tester' or Authorised Vehicle Examiner at a Vehicle Testing Station appointed under Section 45 of The Road Traffic Act 1988; the cost of all tests must be met by the vehicle proprietor.
- The vehicle must have a valid MOT throughout the licence period.

3d.78 The Council will check the MOT history of a licensed vehicle to ensure that the vehicle has not been used to fulfil any executive private hire work on a failed MOT where the vehicle has failed for dangerous (do not drive until repaired) defects or category major (repair immediately) defects.

[16] The requirement to submit an MOT will be in accordance with section 51 of the Local Government (Miscellaneous Provisions) Act 1976

3d.79 With respect to a licensed vehicle, in the event that a proprietor fails to present to the Council an MOT test certificate as required (unless delayed or prevented by sufficient cause accepted and agreed by the Council), the Council may suspend the licence and require the proprietor of that private hire vehicle to return all the plates to the Council subject to any appeal period.

MOT failures, advisories and manufacturer recalls

3d.80 The Council's position in regard to MOT failures, advisories and manufacturer recalls is as follows:

- Where a vehicle fails an MOT under the category dangerous (do not drive until repaired) defects, DVSA guidance states that this will have a direct and immediate risk which will put passengers and other road users at risk or have a serious impact on the environment. The Council requires all repairs to be undertaken and a new MOT test certificate issued before the vehicle is used as an executive private hire vehicle.
- Where a vehicle fails an MOT under the category major (repair immediately) defects, the Council has a concern for the vehicle safety which may put passengers and other road users at risk or have an impact on the environment. The Council requires all repairs to be undertaken and a new MOT test certificate issued before the vehicle is used as an executive private hire vehicle.

3d.81 Where a proprietor permits a vehicle that has failed an MOT for dangerous (do not drive until repaired) defects, or major (repair immediately) defects, to be used as an executive private hire vehicle, the licence will be referred to the Licensing Panel for review where an officer with delegated authority will consider each case on its own individual merits and will determine what action is appropriate and proportionate to the circumstances of the case.

3d.82 Shropshire Council reserves the right to require proprietors to rectify any items on an MOT certificate listed under minor or advisory information, or shown as an outstanding recall, and to provide evidence that the work has been completed to the Council within a timescale specified by the Council. In the event that a proprietor fails to rectify any items requested by the Council (unless delayed or prevented by sufficient cause accepted and agreed by the Council), the proprietor will be referred to a meeting of the Licensing Panel and/or the Licensing and Safety Sub-committee with a view to determining whether the licence ought to be suspended or revoked.

Insurance

3d.83 Certificates of insurance are required in accordance with the following requirements:

- The vehicle must have a valid certificate of insurance for private hire including proof of Public Liability insurance for a minimum of £5,000,000, throughout the licence period. Insurance stating covered for public hire will not be accepted for private hire vehicles.
- Certificates of insurance or cover notes issued to cover "any vehicle" or "any driver" must be accompanied by a schedule showing all the vehicles and drivers covered by the insurance as detailed in the certificate of insurance.
- Where a vehicle is insured by a proprietor and the proprietor allows another licensed Shropshire Council driver to drive their vehicle, or any vehicle is insured under a fleet insurance, the proprietor (as the policy holder) is responsible for ensuring that the

driver of that vehicle is aware of the content of the policy, including its limitations and exclusions, and that the proprietor keeps records to this effect.

- Where an insurance cover note is provided a full certificate of insurance must be produced to the Council within 7 days of the certificate being received by the owner of the vehicle.
- The proprietor must also obtain information as to any requirement for them to have Employers Liability Indemnity; if there is such a requirement, it must be for a minimum of £5,000,000.

3d.84 With respect to a licensed vehicle, in the event that a proprietor fails to present to the Council a valid certificate of insurance as required (unless delayed or prevented by sufficient cause accepted and agreed by the Council), the Council may suspend the licence and require the proprietor of that private hire vehicle to return all the plates to the Council subject to any appeal period.

Vehicle not fit for the conveyance of passengers

3d.85 Where a proprietor has notified the Council that damage has occurred to a vehicle, otherwise than in accordance with relevant road traffic legislation, the Council may require photographic evidence of the damage or for the vehicle to be presented for inspection by an authorised officer of the Council.

3d.86 If the authorised officer determines that a vehicle is not fit for the purpose of conveying passengers an authorised officer of the Council may at that time suspend the licence and require the proprietor of the vehicle to return all the vehicles plates to the Council. The suspension will be lifted and the plate returned at such time when the condition of the vehicle is demonstrated, to the satisfaction of the Council, to be fit for conveying passengers.

3d.87 The officer may require the proprietor to arrange for a further MOT test, or in respect of wheelchair accessible vehicles a basic voluntary IVA test, to be undertaken and certificate produced before the vehicle will be permitted to operate; this is at the discretion of the authorised officer.

Use of information on and in relation to executive private hire vehicles

3d.88 Proprietors are encouraged to display the Council approved notice which sets out what passengers can expect from their drivers, and what drivers can expect from passengers who use their service.

3d.89 Proprietors must not display advertisements, information, images or other material on executive private hire vehicles.

Closed circuit television (CCTV)

3d.90 Proprietors of private hire vehicles are encouraged to install closed circuit television (CCTV) systems providing such systems are installed in accordance with the appropriate legal framework and the Council has been notified, in writing, of their intention to do so.

3d.91 Proprietors of executive private hire vehicles must register with the Information Commissioners Office (ICO) and maintain a valid registration throughout the duration of the licence or until such a time as the CCTV has been removed from the licensed vehicle.

Trailers

3d.92 Executive private hire vehicles licensed by the Council are permitted to tow trailers only when it is a requirement of the business-to-business contract and providing that the conditions set out at **Appendix M** are complied with at all times.

Parking/waiting

3d.93 Where a driver is illegally parked or creating an obstruction, i.e., in contravention of road traffic legislation and traffic regulation orders (this does not include a legitimate period of time where an executive private hire vehicle has stopped to drop off or pick up a client), the driver's licence may be reviewed and such conduct may be deemed a reasonable cause to revoke or suspend the licence or to take any other appropriate action.

LPG converted vehicles

3d.94 The Council must be satisfied that any vehicle that has been converted to LPG has been converted correctly prior to a licence being issued. To this end, the Council will undertake checks with the UK LPG Vehicle Register.

3d.95 With respect to new applications, where it is established that a conversion has not been undertaken correctly and/or the vehicle is unsafe in any way, the Council will refuse the application.

3d.96 In the event that an LPG conversion has been undertaken on a vehicle during a current licensed period and the proprietor of the vehicle fails to notify the Council within 7 days of the conversion, an authorised officer of the Council will suspend the vehicle licence until such time evidence is available on the UK LPG Vehicle Register.

3d.97 In the case of a conversion that has been undertaken on a vehicle during a current licensed period and it is subsequently established that the conversion has not been undertaken correctly and/or the vehicle is unsafe in any way, an authorised officer of the Council will suspend the licence until such time as the conversion has been undertaken correctly and/or it is demonstrated to the satisfaction of the Council that the vehicle is safe.

Production of records/documents

3d.98 Any records required to be retained in accordance with the licence and licence conditions must be produced, on request, to any authorised officer of the Council or to any police officer.

Licence conditions

3d.99 The applicable conditions relevant to an executive private hire vehicle licence are set out at **Appendix E;** these conditions must be complied with. These conditions are in addition to any matters set out within the main body of the Policy.

Main legal requirements

3d.100 Paragraphs 3d.101 to 3d.108 is not exhaustive and unless otherwise specified please refer to the Local Government (Miscellaneous Provisions) Act 1976 for a full list of legal requirements, offences and the maximum penalty upon conviction.

3d.101 Change of proprietor

The proprietor must give notice to the Council of any transfer in his interest in the executive private hire vehicle to a person other than the proprietor whose name is specified in the licence. Such notice must be given, in writing, within 14 days specifying the name and address of the person to whom the vehicle has been transferred.

3d.102 Inspection

The proprietor must present their executive private hire vehicle for inspection and testing by the Council as required, up to a maximum of 3 times during any one period of 12 months.

3d.103 The proprietor must provide, on request, the address where the executive private hire vehicle is kept and allow the Council to inspect and test the vehicle at that address.

3d.104 Accidents

The proprietor, notwithstanding their responsibilities under relevant road traffic legislation, must also report to the Council any accident as soon as reasonably practicable. However, where the vehicle has suffered accident damage that materially affects the safety, performance or appearance of the vehicle, or the comfort or convenience of their clients, the driver must notify the Council within 72 hours.

3d.105 Production of documents

The proprietor must, on request by an authorised officer of the Council or a police officer, produce to the officer for inspection the executive private hire vehicle licence and insurance certificate within 7 days.

3d.106 Return of identification plates

Where a licence is revoked, suspended or expires, the proprietor, when required by the Council to do so must return all the identification plates within 7 days.

3d.107 Transporting children

As a minimum, private hire vehicles must be capable of complying with the requirements set out in the table below, for further guidance see https://www.gov.uk/child-car-seats-the-rules/when-a-child-can-travel-without-a-car-seat.

	Front seat	**Rear seat**	**Who is responsible?**
Child up to 3 years	Correct child restraints must be used	Correct child restraint must be used. If a restraint is not available in a licensed hackney carriage or private hire vehicle, the child may travel unrestrained.	Driver**
Child from 3rd birthday to 12th birthday or 135 cm in height whichever they reach first	Correct child restraints must be used	Where seat belts are fitted, the correct child restraint must be used. The child must use adult belt if the correct child restraint is not available as follows: in a licensed hackney carriage or private hire vehicle; or for a short distance in an unexpected necessity; or two occupied child restraints prevent fitting of a third. A child 3 years and over may travel unrestrained in the rear seat of a	Driver**

		vehicle if seat belts are not fitted in the rear.	
Child over 135 cm in height or 12 or 13 years old	Seat belt must be worn if available*	Seat belt must be worn if available.	Driver**
Passengers aged 14 years and over	Seat belt must be worn if available*	Seat belt must be worn if available.	Passenger

*Vehicles built before 1965 are not required to have fitted seatbelts.

**Drivers must inform parents/carers that the decision to permit children to travel in the vehicle, without the correctly sized seat restraints (as permitted by relevant legislation) and with the obvious risks associated with such an action, remains with the parent/carer responsible for the children and not with the driver of the vehicle.

3d.108 Ranks/stands

An executive private hire vehicle must not wait (stop or park) on any rank/stand.

3e. NOVELTY PRIVATE HIRE VEHICLES INCLUDING LIMOUSINES AND VINTAGE VEHICLES

Summary

3e.1 Novelty private hire vehicles are licensed in accordance with the provisions of the Local Government (Miscellaneous Provisions) Act 1976. Section 75(3) provides for the Council to issue an exemption notice. The Council will only consider an exemption where the applicant can demonstrate that the requirements of this section are fully satisfied. Novelty private hire vehicles must not have the appearance of a hackney carriage vehicle.

3e.2 When considering whether a vehicle is a novelty private hire vehicle by the nature of the work it does, Shropshire Council shall have regard to the Department for Transport's Private Hire Vehicle Licensing Guidance Note (November 2023).

3e.3 The Council legally cannot limit the number of novelty private hire vehicle licences that it will issue.

3e.4 The Council will not licence a vehicle for hire and reward which is licensed by another local authority or allow or permit a private hire vehicle identification plate issued by another authority to be displayed on the vehicle.

Business model for novelty private hire vehicles

3e.5 Novelty private hire vehicles must only be used for special events, which are defined as the provision of a vehicle or vehicles for events such as but not limited to, weddings, proms, anniversaries, birthdays, stag and hen parties and **not** for 'normal' or general-purpose private hire use.

3e.6 Bookings taken in respect of clients who require a novelty private hire must require a deposit to be paid for in advance.

3e.7 Applicants must be able to demonstrate the vehicle will only be used fulfil the provision of novelty private hire vehicle bookings at special events by:

- Providing written confirmation from their private hire operator that the vehicle will only undertake novelty private hire vehicle work for special events
- Providing written confirmation that the vehicle will be used solely for novelty private hire vehicle work and not for 'normal' or general private hire use

Applicant

3e.8 The applicant for a vehicle licence must be the person who is the legal owner of the vehicle concerned and entitled to have ownership of the vehicle[17].

Fit and proper person

3e.9 The proprietor of a licensed novelty private hire vehicle provides a public service that impacts on public safety. On this basis, the Council will not licence a vehicle as a novelty

[17] There is no legal definition of proprietor within relevant legislation; however, the Council has taken the view that proprietor means the legal owner based on common usage of the term, e.g. where the vehicle is on a long-term lease agreement, a copy of the agreement must be provided with an application.

private hire vehicle unless it is satisfied that the proprietor of the vehicle meets all the criteria to be deemed a fit and proper person as set in **Appendix I**.

Proprietors who apply for a novelty private hire vehicle licence and who hold a valid Shropshire Council hackney carriage/private hire driver licence or a valid Shropshire Council private hire operator licence

3e.10 The Council adopts the same principles when determining whether an applicant is a fit and proper person to hold a vehicle licence as it does to persons applying for a driver licence. In this respect, applicants are required to have due regard, as appropriate, to the requirements and information set out at paragraphs 3a.4 to 3a.24 of the Policy.

Proprietors who apply for a novelty private hire vehicle licence and who do not hold a valid Shropshire Council hackney carriage/private hire driver licence or a valid Shropshire Council private hire operator licence

3e.11 In considering the fit and proper person test, all applicants on initial application must provide a basic criminal record disclosure from the Disclosure and Barring Service that has been issued by the Disclosure and Barring Service within the previous three months of the date that the application is received by the Council. All applicants on renewal must provide a basic criminal record disclosure that has been issued by the Disclosure and Barring Service within the previous 12 months of the date that the application is received by the Council. On new or renewal applications the Council will also make additional enquiries through its adults and children's social care teams, directly with West Mercia Police (and other relevant police forces, where appropriate), other relevant local authorities (particularly Telford & Wrekin Council and City of Wolverhampton Council) and any other appropriate organisation, agency or person in order to ensure the Council is in a position to make as accurate an assessment of the applicant's fitness to hold a licence as is reasonably practicable.

3e.12 With specific reference to existing licence holders, where there is any cause for a licence to be reviewed, the Council will make additional enquiries through its adults and children's social care teams, directly with West Mercia Police (and other relevant police forces, where appropriate), other relevant local authorities (particularly Telford & Wrekin Council and City of Wolverhampton Council) and any other appropriate organisation, agency or person in order to ensure the Council is in a position to make as accurate an assessment of the licence holders fitness to hold a licence as is reasonably practicable. Depending on the circumstances of the case, the Council may request the licence holder to consent to a further basic criminal record disclosure, the cost of which lies with the licence holder. Where a licence holder refuses to consent to a further check the Council will take this into consideration in determining their continuing fitness to hold a licence.

3e.13 When assessing the fitness of an applicant to hold a novelty private hire vehicle proprietors licence, the Council will consider the applicant's criminal history as a whole, together with all other relevant evidence, information and intelligence including their history (e.g. complaints and positive comments from the public, compliance with licence conditions and willingness to co-operate with licensing officers) whilst holding a licence from the Council or any other authority. Particular attention will be given to patterns of behaviour, irrespective of the timescale over which they have occurred, both in terms of proven criminal offences and other behaviour/conduct that may indicate the safety and welfare of the public may be at risk from the applicant.

3e.14 In addition, an important element associated with the fitness to hold a licence is the appearance and behaviour of an applicant. Consequently, the Council requires all

applicants to maintain a reasonable standard of appearance and behaviour when in contact and dealing with all persons, including but not limited to, other road users, pedestrians, customers, the general public, other licensed operators and drivers of hackney carriage and private hire vehicles, Council officers and elected members at all times. Applicants must also co-operate with any reasonable request made by an authorised officer of the Council or any police officer.

3e.15 It must also be recognised that the Council will consider all relevant criminal history, behaviour and conduct irrespective of whether the specific history, behaviour or conduct occurred whilst applicants were directly engaged in hackney carriage or private hire licensed work at the time or whether they occurred during the applicants' own personal time. The Council considers a person or individual who has a propensity to commit offences and/or demonstrate unacceptable conduct whilst not engaged in hackney carriage or private hire work to be equally as serious as offences and/or unacceptable conduct committed whilst engaged in hackney carriage or private hire work.

Criminal record disclosure

3e.16 All unspent convictions, including cautions, will be taken into account when considering a person's suitability to hold a licence. Consequently, applicants are required to provide details of all unspent convictions and cautions, including driving endorsements (driving convictions) and disqualification periods relating to traffic offences.

3e.17 Although cautions are generally not as serious as convictions, ordinarily as a result of the circumstances under which they are offered, they do require an admission of guilt before they can be issued which is equivalent to a guilty plea on prosecution. Consequently, a caution is regarded in exactly the same way as a conviction. Fixed penalties, community resolutions or similar sanctions will also be considered in the same way as a conviction on the basis that payment of a fixed penalty indicated an acceptance of guilt and a community resolution can only be imposed following an admission of guilt. As a result, each of these sanctions is a valuable indication as to an applicant's character and whether they are a fit and proper person to hold or be granted a licence.

3e.18 A criminal record does not automatically bar an applicant from holding a licence; however, it will be a significant factor when determining whether a licence ought to be granted or not. Where an applicant has previous criminal convictions, these will be considered in line with the guidance set out in **Appendix I.** However, the over-riding consideration will always be to ensure the safety and welfare of the public.

3e.19 Persons who have not been resident within the United Kingdom for the five years prior to submitting an application, will be required to produce a certificate of good conduct or equivalent document (at their own cost) issued by the relevant Embassy or High Commission. The certificate must be authenticated, translated and sealed by the Embassy or High Commission. In the event that an applicant is not able to obtain a certificate of good conduct, they may submit a statutory declaration with regard to their conduct, which must be completed in the presence of a practising solicitor. The Council may contact the relevant Embassy, High Commission, solicitor or other appropriate body to verify any documents provided. Contact details for Embassies and High Commissions can be found from the Foreign, Commonwealth & Development Office (FCDO) on the GOV.UK website at https://www.gov.uk/government/world. The FCDO may be contacted for further assistance by telephone on 020 7008 5000, by email at fcdo.correspondence@fcdo.gov.uk or by post at the FCDO London Office, King Charles Street, London, SW1A 2AH.

3e.20 Applicants who have spent three continuous months or more living outside the United Kingdom, during the period of their licence, will be required to produce a certificate of good conduct or equivalent document (at their own cost). This certificate must be issued by the relevant Embassy or High Commission for the country or countries lived in during this period and meet the requirements as set out at 3e.19 above. It is recognised that some countries will not provide a certificate of good conduct unless the individual has been resident for six months or more. Where a relevant Embassy or High Commission refuse to issue a certificate of good conduct, applicants must provide written confirmation from the Embassy of any refusal to the Licensing Team.

Non-conviction information

3e.21 In addition to conviction/caution information, applicants are expected to provide details, within 48 hours of all warnings, driving endorsements (driving convictions)/disqualification periods relating to traffic offences, fixed penalties, community resolutions and any other similar sanctions, together with any charges or arrests (including any from outside the UK) that they are the subject of in connection with criminal offences, whether or not actually charged with the offence, and details of any allegations of involvement in criminal activity or where they have been questioned in connection with any alleged criminal activity or inappropriate/unacceptable behaviour or any other relevant pending matter.

3e.22 Where an applicant is the subject of an outstanding charge or summons, their application may continue to be processed; however, depending on the circumstances, it is unlikely that a decision on the application will be made until the conclusion of the criminal proceedings. Where the outstanding charge or summons involves a serious offence and/or the individual's offending history and behaviour/conduct indicates a pattern of unlawful or unacceptable behaviour/character traits, then the application is likely to be refused.

3e.23 Where there is evidence/information that an applicant has been arrested or charged but not convicted of offences and the nature of this evidence/information suggests the applicant may not be a fit and proper person, the Council will give serious consideration to refusing an application or revoking an existing licence.

Period of licence

3e.24 Vehicle licences will be issued for a maximum period of 12 months.

Vehicle licence plates

3e.25 The external rear plate and the internal plate, identifying the vehicle as a novelty private hire vehicle, show the licence details on a yellow background with the Shropshire Council logo.

Vehicle specification

3e.26 The Council requires novelty private hire vehicles to comply with the following requirements:

3e.27 For the purpose of licensing a limousine is described as a luxurious vehicle that has been stretched by the insertion of an additional section not exceeding 3048 millimetres to extend the length of the vehicle. The vehicle shall be capable of carrying up to but not exceeding

eight passengers. Applicants are directed towards the VOSA 'Guidance for Operators of Stretch Limousines' (March 2013)[18].

3e.28 Limousines will be licensed by the Council; however, the over-riding consideration will be the safety of the vehicle. Such types of vehicle will only be licensed as novelty private hire vehicles. They will be subject to the production of specific documents, in original form or as copies certified by the vehicle builder (uncertified photocopies will not be accepted), and to conditions as set out below. These are in addition to the documents required and the conditions applicable to novelty private hire vehicle licensing.

3e.29 The following documentation must be produced prior to licensing:

- Evidence of compliance through the Single Vehicle Approval Scheme (SVA) or Individual Vehicle Approval Scheme (IVA)
- Public Liability Insurance documentation for a minimum of £5,000,000
- Documentation recording the overall weight of the vehicle (as displayed on the vehicle.)

3e.30 The following additional conditions apply:

- The tyres must be of an appropriate weight loading for the limousine, novelty vehicles and vintage vehicles.
- The sale of alcohol in the vehicle must be covered by a separate licence in accordance with the Licensing Act 2003.

3e.31 In addition to stretched limousines, novelty vehicles, e.g. fire engines, and vintage vehicles will also be considered for licensing. Such vehicles do not have to comply with the New Car Assessment Programme (NCAP) rating or the requirements set out in paragraphs 3c.27 to 3c.28 of the Standard Private Hire Vehicle section.

3e.32 Applicants considering applying for a novelty private hire vehicle are strongly advised to contact the licensing team in advance of purchasing any vehicle to ensure it is appropriate to be licensed.

Safety

3e.33 The Council will not licence any new vehicle that since the date of first registration has been recorded by the DVLA as having sustained structural damage resulting from a road traffic accident (an insurance 'Write Off' under the DVLA's Category S – Structural damage classification for vehicle that has sustained damage after 1 October 2017 or Category C where a vehicle has sustained damage, rendering it beyond economical repair, prior to 1 October 2017). This information can be found in the Special Notes section of the V5 registration Certificate.

3e.34 Where a proprietor has notified the Council that a licensed vehicle has sustained structural damage from a road traffic accident resulting in a DVLA classification under Category S – Structural damage (vehicle that has sustained damage after 1 October 2017) or Category C (vehicle has sustained damage, rendering it beyond economical repair, prior to 1 October 2017), any documents provided to meet the safety requirements of the policy as part of the previous application process (i.e. SVA certificate or IVA certificate) will be invalid. The proprietor will be required to submit the vehicle for a new basic voluntary IVA check and provide a valid IVA certificate to the Licensing Team.

[18] https://www.gov.uk/government/publications/guidance-for-operators-of-stretch-limousines

List of Designated Wheelchair Accessible Vehicles

3e.35 Section 167 of the Equality Act 2010 requires all local authorities to maintain a list of designated wheelchair accessible vehicles.

3e.36 All wheelchair accessible vehicles must be capable of transporting the user of a "reference wheelchair" and will be included within the Council's list of designated vehicles. Proprietors are encouraged to consider wheelchair accessible vehicles which are capable of carrying wheelchairs larger than the reference size. Specifications for a "reference wheelchair" can be found at **Appendix J**.

3e.37 Section 172 of the Equality Act 2010 provides for an appeal to be made against the decision to include a vehicle on the list of designated wheelchair accessible vehicles. Any appeal must be made to the Magistrates Court within 28 days of the vehicle being included on the list.

3e.38 Proprietors have a responsibility to ensure that any Shropshire Council licensed driver who drives one of their wheelchair accessible vehicles is made aware of their duties in respect of carrying persons using wheelchairs when driving a designated wheelchair accessible vehicle.

3e.39 Failure to comply with the duties listed under section 165 of the Equality Act 2010 is a criminal offence.

Drivers of novelty private hire vehicles including limousines and vintage private hire vehicles

3e.40 Proprietors are required to ensure that the driver of a novelty private hire vehicle has the correct DVLA driving licence for the size of vehicle that they will be driving.

3e.41 Proprietors are required to ensure that the driver of a small limousine holds a full DVLA (category B) driving licence, providing the vehicle does not exceed 3.5 tonnes.

Other Requirements

3e.42 Vehicles must not seat more than eight passengers (not including the driver) and:

(a) Be a Light Passenger Vehicle as defined by section 85 of the Road Traffic Act 1988 and have a minimum of 4 wheels
(b) Provide sufficient means by which any person in the carriage may communicate with the driver
(c) Vehicle owners and operators are encouraged to use vehicles where the entire external bodywork of the vehicle is NOT black in colour. This does not prohibit the display of advertisements, information, images and other material as authorised by the Council
(d) All paintwork must be maintained free from dents, scratches or rust
(e) Must not be fitted with 3D, 4D, ghost or sticker vehicle registration plates
(f) Have a watertight roof or covering
(g) Provide at least two windows on each side of the vehicle of which one window on one side must have a means of opening/closing
(h) Tinted windows will only be permitted in accordance with the manufacturers or specialist coachbuilder's specification and must comply with the Road Vehicles

(Construction & Use) Regulations 1986 as amended. The Council will not permit any form of additional film to darken or tint the glass on any part of the vehicle

(i) Have seats that are properly cushioned and covered

(j) Have a floor provided with a proper carpet, mat, or other suitable covering

(k) Have fittings (including fittings that are used to secure wheelchairs to the floor of the vehicle) and furniture in a clean condition and be well maintained and in every way fit for public service

(l) Provide means for securing luggage if the carriage is so constructed as to carry luggage

(m) Where tilting passenger seats are fitted the seat must:

- Be forward facing (with the exception of the fold down seats fitted onto the bulkhead/partition of a purpose-built hackney carriage)
- Designed for use by an adult
- Have a three-point seatbelt

(n) Have a minimum of four passenger doors including an entry/exit point for the driver

(o) Be maintained in a sound mechanical and structural condition at all times

(p) Have a full size spare wheel or space saver design wheel and the tools to change a wheel OR commercial breakdown cover which includes tyre repair/replacement (in any event where a spare wheel has been used, it is only to permit the current fare to be completed and any defective wheel must be replaced before taking another fare to ensure passenger safety); all pneumatic tyres, including the spare, must comply with the vehicle manufacturer's specification and any relevant legislation

(q) Be maintained in a clean and safe condition at all times from both exterior and interior perspectives

(r) Proprietors are encouraged to have provision for the legal transportation of a minimum of one "reference wheelchair" at all times. However, proprietors are encouraged to consider vehicles which are capable of carrying wheelchairs larger than the reference size. Specifications for a "reference wheelchair" can be found at **Appendix J**

(s) When transporting a wheelchair user, where a seat has to be removed in order to accommodate a passenger in a wheelchair, proprietors must store the seat securely away from the passengers and driver (e.g. in the boot or other suitable storage facility away from the vehicle)

(t) Where a mechanical ramp is fitted, comply with requirements of the Lifting Operations and Lifting Equipment Regulations 1998

(u) Where a non-mechanical ramp is fitted, comply with the relevant provisions of the Provision and Use of Work Equipment Regulations 1998

(v) When transporting a wheelchair user, where the wheelchair user chooses to transfer to a passenger seat, proprietors must store the wheelchair securely away from the passengers and driver (e.g. in the boot)

New application process

3e.43 The application form must be fully completed and include all relevant information, supporting documentation and appropriate fee.

3e.44 The full fee for the licence is payable at the time the application is submitted. (This includes any application to transfer a vehicle licence onto another vehicle)

3e.45 If any part of the application form is incomplete or the relevant information or supporting documentation is not provided, the applicant will be requested to provide the missing information/documentation and informed that the application will not be processed until

such time as all the information/documentation is provided. If the applicant fails to provide all the information to complete the application, the application will be rejected.

3e.46 Once an application has been accepted by the Licensing Team as a valid application the application process must be completed within 6 months unless prevented from doing so by matters that are outside the applicant's control. When an application is not completed within this timescale the application will be referred to the Licensing Panel for determination where an officer with delegated authority will consider each case on its own individual merits and will determine what action is appropriate and proportionate to the circumstances of the case.

3e.47 Any person wishing to licence a novelty private hire vehicle must

- Submit a completed application form
- Submit a completed reference form, unless the applicant is the holder of a hackney carriage and private hire driver licence or private hire operator licence issued by Shropshire Council (NB the referees must be from either professional or business sources who have known the applicant for at least two years. In addition, the Council will not accept references from family members, drivers, operators, vehicle proprietors licensed with any local authority or, where relevant, the applicant's future employer unless there is satisfactory evidence of exceptional circumstances that are accepted by the Council). The Council reserves the right to refuse a reference where the Council deems the referee is not acceptable
- Pay the appropriate licence fee
- Provide a basic criminal record disclosure from the Disclosure and Barring Service, unless the applicant is the holder of a hackney carriage and private hire driver licence or private hire operator licence issued by Shropshire Council (applicants can apply to https://www.gov.uk/request-copy-criminal-record). A basic criminal record disclosure will only be accepted by the Council within three months of the date of issue from the Disclosure and Barring Service
- Provide evidence of compliance through the Single Vehicle Approval Scheme (SVA) or Individual Vehicle Approval Scheme (IVA)
- Provide documentation recording the overall weight of the vehicle (as displayed on the vehicle)
- Provide a valid MOT (in accordance with the requirements set out at paragraph 3e.76 below)
- Provide a valid certificate of insurance for private hire including proof of public liability insurance for a minimum of £5,000,000, insurance stating covered for public hire will not be accepted for private hire vehicles (in accordance with the requirements set out at paragraph 3e.82 below)
- Provide the full V5 registration certificate (note the alternative interim measures outlined in paragraph 3e.71 to 3e.74
- Where a meter is fitted, provide a valid certificate/report to confirm the vehicle is fitted with a taximeter in accordance with the requirements set out at paragraph 3e.75 below
- Proof of vehicle tax
- Where the vehicle is fitted with a mechanically operated ramp, provide a valid certificate/report confirming the ramp complies with the requirements of the Lifting Operations and Lifting Equipment Regulations 1998 (NB The proprietor is responsible for ensuring that a competent person carries out the necessary checks in accordance with these Regulations.)
- Where non-mechanical ramps are used, provide confirmation from the proprietor of the vehicle that the ramps comply with the relevant provisions of the Provision and

Use of Work Equipment Regulations 1998. (NB Licensing officers will check that the provision of non-mechanical ramps is being maintained by the vehicle proprietor.)

- Where fittings are used to secure wheelchairs to the floor of a vehicle, provide a certificate/report confirming that all the fittings are intact and are free from damage and wear

3e.48 Once an application has been validated and accepted, the Council will:

- Make enquiries through the Council's adults and children's social care teams, West Mercia Police (or other relevant force), other local authorities and any other organisation, agency or person that the Council has deemed appropriate to seek information from; and
- Where applicable, write to the referees provided

3e.49 **NB** For partnerships or companies, the requirements set out in paragraphs 3e.8 to 3e.23 apply to all partners and directors/company secretaries.

3e.50 Where an application is received to change the proprietor of a novelty private hire vehicle licence (transfer of licensee), the new proprietor must fulfil the requirements as set out in paragraphs 3e.8 to 3e.23 above.

3e.51 Paragraphs 3e.8 to 3e.23 above do not apply to applicants to transfer a vehicle licence onto another vehicle, on a temporary basis, by an accident management company.

3e.52 Providing the above are satisfied, Officers will grant the licence. In all other cases, the application will be referred to the Licensing Panel for determination. Each application will be decided on its merits. However, there is a presumption that unless an applicant can demonstrate exceptional circumstances the application will be refused. Whilst it is neither possible nor prudent to draw up a list of what might amount to exceptional circumstances, an applicant who claims that exceptional circumstances exist will be expected to be able to satisfy the Council that it would not frustrate the purposes of this Policy or compromise public safety if the licence were granted. The applicant will be notified in writing if their application is to be determined at a meeting of the Licensing Panel.

Renewal of a licence

3e.53 To allow the vehicle's licence to be renewed, a renewal application form must be received by the Council at least 10 working days prior to the expiry date of the original licence (unless there is satisfactory evidence of exceptional circumstances that are accepted by the Council) to allow the Council sufficient time to process the renewal application. It is the Council's intention to process all valid renewal applications within 10 working days; hence, where applicants fail to submit their renewal application within this timescale, the risk that their licence will expire increases. Once a licence expires, is revoked (subject to a statutory appeal process) or surrendered, it ceases to exist and applicants would not be permitted to drive the private hire vehicle in these circumstances.

3e.54 Once a licence ceases to exist a renewal application will not be accepted by the Council (unless there is satisfactory evidence of exceptional circumstances that are accepted by the Council) and the applicant must submit a new vehicle licence application which will be processed in accordance with the Council's new application process.

Renewal application process

3e.55 The application form must be fully completed and include all relevant information, supporting documentation and appropriate fee.

3e.56 The full fee for the licence is payable at the time the application is submitted. (This includes any application to transfer a vehicle licence onto another vehicle)

3e.57 If any part of the application form is incomplete or the relevant information or supporting documentation is not provided, the applicant will be requested to provide the missing information/documentation and informed that the application will not be processed until such time as all the information/documentation is provided. If the applicant fails to provide all the information to complete the application, the application will be rejected.

3e.58 Once an application has been accepted by the Licensing Team as a valid application the application process must be completed within 6 months unless prevented from doing so by matters that are outside the applicant's control. When an application is not completed within this timescale the application will be referred to the Licensing Panel for determination where an officer with delegated authority will consider each case on its own individual merits and will determine what action is appropriate and proportionate to the circumstances of the case.

3e.59 Any person wishing to renew a licence for a novelty private hire vehicle must:

- Submit a completed application form
- Pay the appropriate licence fee
- Provide a basic criminal record disclosure from the Disclosure and Barring Service, unless the applicant is the holder of a hackney carriage and private hire driver licence or private hire operator licence issued by Shropshire Council (applicants can apply to https://www.gov.uk/request-copy-criminal-record). A basic criminal record disclosure will only be accepted by the Council within 12 months of the date of issue from the Disclosure and Barring Service
- Provide a valid MOT (in accordance with the requirements set out at paragraph 3e.76 below)
- Provide a valid certificate of insurance for private hire including proof of Public Liability insurance for a minimum of £5,000,000, insurance stating covered for public hire will not be accepted for private hire vehicles (in accordance with the requirements set out at paragraph 3e.82 below)
- Where the vehicle is fitted with a mechanically operated ramp, provide a valid certificate/report confirming the ramp complies with the requirements of the Lifting Operations and Lifting Equipment Regulations 1998 (NB The proprietor is responsible for ensuring that a competent person carries out the necessary checks in accordance with these Regulations.)
- Where non-mechanical ramps are used, provide confirmation from the proprietor of the vehicle that the ramps comply with the relevant provisions of the Provision and Use of Work Equipment Regulations 1998. (NB Licensing officers will check that the provision of non-mechanical ramps is being maintained by the vehicle proprietor.)
- Where fittings are used to secure wheelchairs to the floor of a vehicle, provide a certificate/report confirming that all the fittings are intact and are free from damage and wear

3e.60 Once an application has been validated and accepted, the Council will:

- Complete an online check of the MOT history for the vehicle
- Complete an online check to ensure that the vehicle has valid road tax

- Where applicable, make enquiries through the Council's adults and children's social care teams, West Mercia Police (or other relevant force), other local authorities and any other organisation, agency or person that the Council has deemed appropriate to seek information from

3e.61 **NB** For partnerships or companies, the requirements set out in paragraphs 3e.8 to 3e.23 apply to all partners and directors/company secretaries.

3e.62 Where an application is received to change the proprietor of a novelty private hire vehicle licence (transfer of licensee), the new proprietor must fulfil the requirements as set out in paragraphs 3e.8 to 3e.23 above.

3e.63 Providing the above are satisfied, Officers will grant the licence. In all other cases, the application will be referred to the Licensing Panel for determination. Each application will be decided on its merits. However, there is a presumption that unless an applicant can demonstrate exceptional circumstances the application will be refused. Whilst it is neither possible nor prudent to draw up a list of what might amount to exceptional circumstances, an applicant who claims that exceptional circumstances exist will be expected to be able to satisfy the Council that it would not frustrate the purposes of this Policy or compromise public safety if the licence were granted. The applicant will be notified in writing if their application is to be determined at a meeting of the Licensing Panel.

Transfer of a licence (Change of vehicle)

3e.64 All requests to transfer a vehicle licence (change of vehicle) onto another vehicle will be treated as a new vehicle application (in accordance with the requirements set out at paragraphs 3e.43 to 3e.49).

3e.65 Where a proprietor has notified the Council that damage has occurred to a licensed vehicle, resulting in the transfer of licence to a temporary insurance replacement vehicle, proprietors will be required to provide evidence to demonstrate the damage which has occurred to the vehicle, i.e. insurance assessors report.

3e.66 Where a vehicle has sustained structural damage from a road traffic accident resulting in a DVLA classification under Category S – Structural damage (vehicle that has sustained damage after 1 October 2017) or Category C (vehicle has sustained damage, rendering it beyond economical repair, prior to 1 October 2017), any documents provided to meet the safety requirements of the policy as part of the previous application process (i.e. SVA certificate or IVA certificate) may be invalid. In these circumstances the Council will require the proprietor to submit the vehicle for a new basic voluntary IVA check and provide a valid IVA 6 certificate to the Licensing Team before the licence can be transferred back to the original vehicle.

3e.67 Where a wheelchair accessible vehicle has sustained damage that does not affect the validity of the documents provided to meet the safety requirements of the policy as part of the previous application process (i.e. VCA certificate, IAC or IVA 6), provided any repairs have been made by a garage approved and authorised by the insurance company, the Council will require the proprietor to submit confirmation from the insurance company that the repairs have been completed in accordance with the insurance assessors report and a new MOT certificate (in accordance with the requirements set out at paragraph 3e.76 above) to the Licensing Team before the licence can be transferred back to the original vehicle.

Vehicle compliance process

3e.68 Once an application has been validated and accepted a member of the Licensing Team will contact the applicant to arrange a vehicle compliance appointment. At the appointment a vehicle will be subject to a compliance check to ensure:

- That where the vehicle is sufficiently equipped for the provision of one reference wheelchair that the driver presenting the vehicle is capable of safely loading and securing the wheelchair into the vehicle (the vehicle, including seating, wheelchair restraint and ramp, will be photographed and the images held on the vehicle record file for future reference)
- That where fitted the meter seal is intact and the serial number matches the number provided in the meter calibration certificate. Where a meter seal has been tampered with and/or the serial number no longer matches a new certificate/report to confirm the vehicle is fitted with a taximeter in accordance with the requirements set out at paragraph 3e.75
- That where commercial breakdown cover has not been provided as part of the application, the vehicle has a full-size spare wheel or space saver design wheel and the tools to change a wheel
- At least one no smoking sign is on display in the vehicle
- That where a vehicle is wheelchair accessible a sign confirming the wheelchair accessibility is clearly displayed
- The drivers internal 'Vehicle Copy' of driver badge is displayed ensuring that the licence details and photo are visible to passengers
- Where CCTV is fitted, a CCTV operating in this vehicle sign is on display in the vehicle

3e.69 Once an appointment has been allocated, the applicant must give 24 hours notice to cancel an appointment otherwise they will be required to pay a missed appointment fee before any further appointments are made.

3e.70 Vehicle proprietors are required to return the existing licence plate (renewal/transfer vehicles only) at the compliance appointment. Where officers are satisfied that the vehicle meets the compliance checks, the new licence plates will be issued. If, however, the vehicle does not meet the compliance check, advice will be provided and a further appointment arranged.

V5 registration certificate

3e.71 The Council accepts that a full V5 registration certificate in the new owner's name is not always available upon first licence or as part of an application to transfer the licensee; however, the green new keepers slip of the V5 form and proof of purchase must be produced. Where possible a full copy of the previous owners V5 registration certificate should be obtained and submitted alongside the green new keepers slip.

3e.72 A full V5 registration certificate and proof of purchase must be produced upon transfer of a vehicle licence. Where possible a full copy of the previous owners V5 registration certificate should be obtained and submitted alongside the V5 green section.

3e.73 Where the green section has been produced on first licensing the vehicle or as part of an application to transfer the licensee, a full V5 registration certificate in the new owner's name must be produced to the Council within 7 days of the form being received by the owner of the vehicle.

3e.74 Where a licence is issued in advance of a full V5 registration certificate being received and where upon receipt of a full V5 registration certificate information is contained that indicates

that a vehicle has, since the date of first registration, been recorded by the DVLA as having sustained structural damage resulting from a road traffic accident, as set out in paragraph 3e.33, the licence will be subject to review at a meeting of the Council's Licensing Panel.

Taximeters

3e.75 Novelty private hire vehicles will not require a meter. However, if a meter is fitted, it must be:

- Certified by a notified body in accordance with the Measuring Instruments Directive (MID) (2004/22/EC), in particular Annex 007
- Fitted with a device, the use/action of which will bring the taximeter into action and cause the word 'HIRED' to appear on the face of the taximeter and such a device must be capable of being locked in a position such that the machinery of the taximeter is not in action and that no fare is recorded on the face of the taximeter
- Calibrated against a measured distance and by reference to the private hire operator's tariff
- Fixed to the vehicle with appropriate seals/appliances to prevent any person from tampering with the meter except by breaking, damaging, or permanently displacing the seals/appliances
- Have the word 'FARE' printed on the face of the meter in plain letters so as clearly to apply to the fare recorded thereon
- Supported by a Shropshire Council certificate/report of compliance (the Council will only accept a certificate that has been issued within the previous 10 working days)

MOT requirements[19]

3e.76 MOTs are required in accordance with the following requirements:

- Vehicles, up to 9 years from date of first registration, must be submitted for an MOT inspection at 6-monthly intervals (and any other inspection deemed necessary by an authorised officer) and the applicant must produce valid MOT certificates to the Council in this respect.
- Once a vehicle reaches the age of 9 years, in addition to the MOT certificate submitted with an application, it must have two other MOT tests per year; tests being spaced evenly throughout the year at four monthly intervals and the applicant must produce valid MOT certificates to the Council in this respect.
- MOT certificates will only be accepted by the Council within 10 working days of the date of issue from the MOT testing centre.
- MOTs must be undertaken by a 'Nominated Tester' or Authorised Vehicle Examiner at a Vehicle Testing Station appointed under Section 45 of The Road Traffic Act 1988; the cost of all tests must be met by the vehicle proprietor.
- The vehicle must have a valid MOT throughout the licence period.

3e.77 The Council will check the MOT history of a licensed vehicle to ensure that the vehicle has not been used to fulfil any novelty private hire work on a failed MOT where the vehicle has failed for dangerous (do not drive until repaired) defects or category major (repair immediately) defects.

3e.78 With respect to a licensed vehicle, in the event that a proprietor fails to present to the Council an MOT test certificate as required (unless delayed or prevented by sufficient cause accepted and agreed by the Council), the Council may suspend the licence and

[19] The requirement to submit an MOT will be in accordance with section 157 of the Local Government (Miscellaneous Provisions) Act 1976

require the proprietor of that novelty private hire vehicle to return all the plates to the Council subject to any appeal period.

MOT failures, advisories and manufacturer recalls

3e.79 The Council's position in regard to MOT failures, advisories and manufacturer recalls is as follows:

- Where a vehicle fails an MOT under the category dangerous (do not drive until repaired) defects, DVSA guidance states that this will have a direct and immediate risk which will put passengers and other road users at risk or have a serious impact on the environment. The Council requires all repairs to be undertaken and a new MOT test certificate issued before the vehicle is used as a novelty private hire vehicle.
- Where a vehicle fails an MOT under the category major (repair immediately) defects, the Council has a concern for the vehicle safety which may put passengers and other road users at risk or have an impact on the environment. The Council requires all repairs to be undertaken and a new MOT test certificate issued before the vehicle is used as a novelty private hire vehicle.

3e.80 Where a proprietor permits a vehicle that has failed an MOT for dangerous (do not drive until repaired) defects, or major (repair immediately) defects, to be used as a novelty private hire vehicle, the licence will be referred to the Licensing Panel for review where an officer with delegated authority will consider each case on its own individual merits and will determine what action is appropriate and proportionate to the circumstances of the case.

3e.81 Shropshire Council reserves the right to require proprietors to rectify any items on an MOT certificate listed under minor or advisory information, or shown as an outstanding recall, and to provide evidence that the work has been completed to the Council within a timescale specified by the Council. In the event that a proprietor fails to rectify any items requested by the Council (unless delayed or prevented by sufficient cause accepted and agreed by the Council), the proprietor will be referred to a meeting of the Licensing Panel and/or the Licensing and Safety Sub-committee with a view to determining whether the licence ought to be suspended or revoked.

Insurance

3e.82 Certificates of insurance are required in accordance with the following requirements:

- The vehicle must have a valid certificate of insurance for private hire including proof of Public Liability insurance for a minimum of £5,000,000, throughout the licence period. Insurance stating covered for public hire will not be accepted for private hire vehicles.
- Certificates of insurance or cover notes issued to cover "any vehicle" or "any driver" must be accompanied by a schedule showing all the vehicles and drivers covered by the insurance as detailed in the certificate of insurance.
- Where a vehicle is insured by a proprietor and the proprietor allows another licensed Shropshire Council driver to drive their vehicle, or any vehicle is insured under a fleet insurance, the proprietor (as the policy holder) is responsible for ensuring that the driver of that vehicle is aware of the content of the policy, including its limitations and exclusions, and that the proprietor keeps records to this effect.
- Where an insurance cover note is provided a full certificate of insurance must be produced to the Council within 7 days of the certificate being received by the owner of the vehicle.

- The proprietor must also obtain information as to any requirement for them to have Employers Liability Indemnity; if there is such a requirement, it must be for a minimum of £5,000,000.

3e.83 With respect to a licensed vehicle, in the event that a proprietor fails to present to the Council a valid certificate of insurance as required (unless delayed or prevented by sufficient cause accepted and agreed by the Council), the Council may suspend the licence and require the proprietor of that private hire vehicle to return all the plates to the Council subject to any appeal period.

Vehicle not fit for the conveyance of passengers

3e.84 Where a proprietor has notified the Council that damage has occurred to a vehicle, otherwise than in accordance with relevant road traffic legislation, the Council may require photographic evidence of the damage or for the vehicle to be presented for inspection by an authorised officer of the Council.

3e.85 If the authorised officer determines that a vehicle is not fit for the purpose of conveying passengers an authorised officer of the Council may at that time suspend the licence and require the proprietor of the vehicle to return all the vehicles plates to the Council. The suspension will be lifted and the plate returned at such time when the condition of the vehicle is demonstrated, to the satisfaction of the Council, to be fit for conveying passengers.

3e.86 The officer may require the proprietor to arrange for a further MOT test, or in respect of wheelchair accessible vehicles a basic voluntary IVA test, to be undertaken and certificate produced before the vehicle will be permitted to operate; this is at the discretion of the authorised officer.

Use of information on and in relation to novelty private hire vehicles

3e.87 Proprietors are encouraged to display the Council approved notice which sets out what passengers can expect from their drivers, and what drivers can expect from passengers who use their service.

3e.88 Proprietors may display advertisements, information, images and other material on novelty private hire vehicles in accordance with the conditions set out at **Appendix L**. This is subject to prior written approval from the Council.

Closed circuit television (CCTV)

3e.89 Proprietors of private hire vehicles are encouraged to install closed circuit television (CCTV) systems providing such systems are installed in accordance with the appropriate legal framework and the Council has been notified, in writing, of their intention to do so.

3e.90 Proprietors of private hire vehicles must register with the Information Commissioners Office (ICO) and maintain a valid registration throughout the duration of the licence or until such a time as the CCTV has been removed from the licensed vehicle.

Trailers

3e.91 Private hire vehicles licensed by the Council are permitted to tow trailers when undertaking the licensed activity providing that the conditions set out at **Appendix M** are complied with at all times.

Parking/waiting

3e.92 Where a driver is illegally parked or creating an obstruction, i.e. in contravention of road traffic legislation and traffic regulation orders (this does not include a legitimate period of time where a novelty private hire vehicle has stopped to drop off or pick up a fare), the driver's licence may be reviewed and such conduct may be deemed a reasonable cause to revoke or suspend the licence or to take any other appropriate action.

LPG converted vehicles

3e.93 The Council must be satisfied that any vehicle that has been converted to LPG has been converted correctly prior to a licence being issued. To this end, the Council will undertake checks with the UK LPG Vehicle Register.

3e.94 With respect to new applications, where it is established that a conversion has not been undertaken correctly and/or the vehicle is unsafe in any way, the Council will refuse the application.

3e.95 In the event that an LPG conversion has been undertaken on a vehicle during a current licensed period and the proprietor of the vehicle fails to notify the Council within 7 days of the conversion, an authorised officer of the Council will suspend the vehicle licence until such time evidence is available on the UK LPG Vehicle Register

3e.96 In the case of a conversion that has been undertaken on a vehicle during a current licensed period and it is subsequently established that the conversion has not been undertaken correctly and/or the vehicle is unsafe in any way, an authorised officer of the Council will suspend the licence until such time as the conversion has been undertaken correctly and/or it is demonstrated to the satisfaction of the Council that the vehicle is safe.

Production of records/documents

3e.97 Any records required to be retained in accordance with the licence and licence conditions must be produced, on request, to any authorised officer of the Council or to any police officer.

Licence conditions

3e.98 The applicable conditions relevant to a novelty private hire vehicle licence are set out at **Appendix F;** these conditions must be complied with. These conditions are in addition to any matters set out within the main body of the Policy.

Main legal requirements

3e.99 Paragraphs 3e.100 to 3e.107 is not exhaustive and unless otherwise specified please refer to the Local Government (Miscellaneous Provisions) Act 1976 for a full list of legal requirements, offences and the maximum penalty upon conviction.

3e.100 Change of proprietor

The proprietor must give notice to the Council of any transfer in his interest in the private hire vehicle to a person other than the proprietor whose name is specified in the licence. Such notice must be given, in writing, within 14 days specifying the name and address of the person to whom the vehicle has been transferred.

3e.101 Inspection

The proprietor must present their private hire vehicle for inspection and testing by the Council as required, up to a maximum of 3 times during any one period of 12 months.

3e.102 The proprietor must provide, on request, the address where the private hire vehicle is kept and allow the Council to inspect and test the vehicle at that address.

3e.103 Accidents

The proprietor, notwithstanding their responsibilities under relevant road traffic legislation, must also report to the Council any accident as soon as reasonably practicable. However, where the vehicle has suffered accident damage that materially affects the safety, performance or appearance of the vehicle, or the comfort or convenience of fare paying passengers, the driver must notify the Council within 72 hours.

3e.104 Production of documents

The proprietor must, on request by an authorised officer of the Council or a police officer, produce to the officer for inspection the private hire vehicle licence and insurance certificate within 7 days.

3e.105 Return of identification plates

Where a licence is revoked, suspended or expires, the proprietor, when required by the Council to do so must return all the identification plates within 7 days.

3e.106 Transporting children

As a minimum, private hire vehicles must be capable of complying with the requirements set out in the table below, for further guidance see https://www.gov.uk/child-car-seats-the-rules/when-a-child-can-travel-without-a-car-seat.

	Front seat	**Rear seat**	**Who is responsible?**
Child up to 3 years	Correct child restraints must be used	Correct child restraint must be used. If a restraint is not available in a licensed hackney carriage or private hire vehicle, the child may travel unrestrained.	Driver**
Child from 3rd birthday to 12th birthday or 135 cm in height whichever they reach first	Correct child restraints must be used	Where seat belts are fitted, the correct child restraint must be used. The child must use adult belt if the correct child restraint is not available as follows: in a licensed hackney carriage or private hire vehicle; or for a short distance in an unexpected necessity; or two occupied child restraints prevent fitting of a third. A child 3 years and over may travel unrestrained in the rear seat of a vehicle if seat belts are not fitted in the rear.	Driver**
Child over 135 cm in height or 12	Seat belt must be worn if available*	Seat belt must be worn if available.	Driver**

or 13 years old			
Passengers aged 14 years and over	Seat belt must be worn if available*	Seat belt must be worn if available.	Passenger

*Vehicles built before 1965 are not required to have fitted seatbelts.
**Drivers must inform parents/carers that the decision to permit children to travel in the vehicle, without the correctly sized seat restraints (as permitted by relevant legislation) and with the obvious risks associated with such an action, remains with the parent/carer responsible for the children and not with the driver of the vehicle.

3e.107 Ranks/stands

A novelty private hire vehicle must not wait (stop or park) on any rank/stand.

3f. PRIVATE HIRE OPERATORS

Summary

3f.1 Private hire operators are licensed in accordance with the Local Government (Miscellaneous Provisions) Act 1976. Any person who wishes to take bookings, in the course of a business, for a private hire vehicle must hold a private hire operator licence.

Applicant

3f.2 All applicants (including sole traders, partnerships and companies) for a private hire operator licence must prove that they are a fit and proper person to hold an operator licence.

Fit and proper person

3f.3 Licensed private hire operators provide a public service and have a direct impact on public safety. On this basis, the Council will not licence anyone as a private hire operator unless it is satisfied that they meet all the criteria to be deemed a fit and proper person as set in **Appendix I**.

Applicants for a private hire operator licence who hold a valid Shropshire Council hackney carriage/private hire driver licence

3f.4 The Council adopts the same principles when determining whether an applicant is a fit and proper person to hold a private hire operator licence as it does to persons applying for a driver licence. In this respect, applicants are required to have due regard, as appropriate, to the requirements and information set out at paragraphs 3a.4 to 3a.24 of the Policy.

Applicants for a private hire operator licence who do not hold a valid Shropshire Council hackney carriage/private hire driver licence

3f.5 In considering the fit and proper person test, all applicants on initial application must provide a basic criminal record disclosure from the Disclosure and Barring Service that has been issued by the Disclosure and Barring Service within the previous three months of the date that the application is received by the Council. All applicants on renewal must provide a basic criminal record disclosure that has been issued by the Disclosure and Barring Service within the previous 12 months of the date that the application is received by the Council. On new and renewal applications the Council will also make additional enquiries through its adults and children's social care teams, directly with West Mercia Police (and other relevant police forces, where appropriate), other relevant local authorities (particularly Telford & Wrekin Council and City of Wolverhampton Council) and any other appropriate organisation, agency or person in order to ensure the Council is in a position to make as accurate an assessment of the applicant's fitness to hold a licence as is reasonably practicable.

3f.6 Once a licence has been granted an operator will be required to provide a basic disclosure for all partners, directors/company secretaries on an annual basis, unless the partner, directors/company secretary is a hackney carriage and private hire driver licensed by the Council.

3f.7 With specific reference to existing licence holders, where there is any cause for a licence to be reviewed, the Council will make additional enquiries through its adults and children's

social care teams, directly with West Mercia Police (and other relevant police forces, where appropriate), other relevant local authorities (particularly Telford & Wrekin Council and City of Wolverhampton Council) and any other appropriate organisation, agency or person in order to ensure the Council is in a position to make as accurate an assessment of the licence holders fitness to hold a licence as is reasonably practicable. Depending on the circumstances of the case, the Council may request the licence holder to consent to a further basic criminal record disclosure, the cost of which lies with the licence holder. Where a licence holder refuses to consent to a further check the Council will take this into consideration in determining their continuing fitness to hold a licence.

3f.8 When assessing the fitness of an applicant to hold a private hire operator licence, the Council will consider the applicant's criminal history as a whole, together with all other relevant evidence, information and intelligence including their history (e.g. complaints and positive comments from the public, compliance with licence conditions and willingness to co-operate with licensing officers) whilst holding a licence from the Council or any other authority. Particular attention will be given to patterns of behaviour, irrespective of the timescale over which they have occurred, both in terms of proven criminal offences and other behaviour/conduct that may indicate the safety and welfare of the public may be at risk from the applicant.

3f.9 In addition, an important element associated with the fitness to hold a licence is the appearance (be clean and respectable in their dress and person and maintain a high standard of personal hygiene) and behaviour of an applicant. Consequently, the Council requires all applicants to maintain a reasonable standard of appearance and behaviour when in contact and dealing with all persons, including but not limited to, other road users, pedestrians, customers, the general public, other licensed operators and drivers of hackney carriage and private hire vehicles, Council officers and elected members at all times. Applicants must also co-operate with any reasonable request made by an authorised officer of the Council or any police officer.

3f.10 It must also be recognised that the Council will consider all relevant criminal history, behaviour and conduct irrespective of whether the specific history, behaviour or conduct occurred whilst applicants were directly engaged in hackney carriage or private hire licensed work at the time or whether they occurred during the applicants' own personal time. The Council considers a person or individual who has a propensity to commit offences and/or demonstrate unacceptable conduct whilst not engaged in hackney carriage or private hire work to be equally as serious as offences and/or unacceptable conduct committed whilst engaged in hackney carriage or private hire work.

Criminal record disclosure

3f.11 All unspent convictions, including cautions, will be taken into account when considering a person's suitability to hold a licence. Consequently, applicants are required to provide details of <u>all</u> unspent convictions and cautions, including driving endorsements (driving convictions) and disqualification periods relating to traffic offences.

3f.12 Although cautions are generally not as serious as convictions, ordinarily as a result of the circumstances under which they are offered, they do require an admission of guilt before they can be issued which is equivalent to a guilty plea on prosecution. Consequently, a caution is regarded in exactly the same way as a conviction. Fixed penalties, community resolutions or similar sanctions will also be considered in the same way as a conviction on the basis that payment of a fixed penalty indicated an acceptance of guilt and a community resolution can only be imposed following an admission of guilt. As a result, each of these

sanctions is a valuable indication as to an applicant's character and whether they are a fit and proper person to hold or be granted a licence.

3f.13 A criminal record does not automatically bar an applicant from holding a licence; however, it will be a significant factor when determining whether a licence ought to be granted or not. Where an applicant has previous criminal convictions, these will be considered in line with the guidance set out in **Appendix I.** However, the over-riding consideration will always be to ensure the safety and welfare of the public.

3f.14 Persons who have not been resident within the United Kingdom for the five years prior to submitting an application, will be required to produce a certificate of good conduct or equivalent document (at their own cost) issued by the relevant Embassy or High Commission. The certificate must be authenticated, translated and sealed by the Embassy or High Commission. In the event that an applicant is not able to obtain a certificate of good conduct, they may submit a statutory declaration with regard to their conduct, which must be completed in the presence of a practising solicitor. The Council may contact the relevant Embassy, High Commission, solicitor or other appropriate body to verify any documents provided. Contact details for Embassies and High Commissions can be found from the Foreign, Commonwealth & Development Office (FCDO) on the GOV.UK website at https://www.gov.uk/government/world. The FCDO may be contacted for further assistance by telephone on 020 7008 5000, by email at fcdo.correspondence@fcdo.gov.uk or by post at the FCDO London Office, King Charles Street, London, SW1A 2AH.

3f.15 Applicants who have spent three continuous months or more living outside the United Kingdom, during the period of their licence, will be required to produce a certificate of good conduct or equivalent document at their own cost. This certificate must be issued by the relevant Embassy or High Commission for the country or countries lived in during this period and meet the requirements as set out at 3f.14 above. It is recognised that some countries will not provide a certificate of good conduct unless the individual has been resident for six months or more. Where a relevant Embassy or High Commission refuse to issue a certificate of good conduct, applicants must provide written confirmation from the Embassy of any refusal to the Licensing Team.

Right to work

3f.16 The Immigration Act 2016 amended existing licensing requirements in the UK to prevent illegal working in the hackney carriage and private hire licensing trade. With effect from 1 December 2016, the provisions in the Immigration Act 2016 prohibit all licensing authorities across the UK from issuing a licence to anyone who is disqualified by reason of their immigration status.

3f.17 All applicants must provide evidence of their right to work in the UK in accordance with the Home Office requirements. For further information see: https://www.gov.uk/government/publications/licensing-authority-guide-to-right-to-work-checks.

HMRC tax check

3f.18 The Finance Bill 2021 introduced new tax check requirements for applicants for a private hire operator licence. For further information see: https://www.gov.uk/guidance/complete-a-tax-check-for-a-taxi-private-hire-or-scrap-metal-licence.

3f.19 New applicants for a private hire operator licence, if applying for a licence for the first time, will be required to read HMRC guidance on their responsibilities and will be required to confirm via the application process that this has been done.

3f.20 Applicants applying to renew a private hire operator licence or new applicants that hold, or have held, a similar licence within the previous 12 months, will be subject to a tax check to demonstrate that they are registered for tax.

Non-conviction information

3f.21 In addition to conviction/caution information, applicants are expected to provide details, within 48 hours of all warnings, driving endorsements (driving convictions)/disqualification periods relating to traffic offences, fixed penalties, penalty charge notices, community resolutions, non-molestation orders and any other similar sanctions, together with any charges or arrests (including any from outside the UK) that they are the subject of in connection with criminal offences, whether or not actually charged with the offence, and details of any allegations of involvement in criminal activity or where they have been questioned in connection with any alleged criminal activity or inappropriate/unacceptable behaviour or any other relevant pending matter.

3f.22 Where an applicant is the subject of an outstanding charge or summons, their application may continue to be processed; however, depending on the circumstances, it is unlikely that a decision on the application will be made until the conclusion of the criminal proceedings. Where the outstanding charge or summons involves a serious offence and/or the individual's offending history and behaviour/conduct indicates a pattern of unlawful or unacceptable behaviour/character traits, then the application is likely to be refused.

3f.23 Where there is evidence/information that an applicant has been arrested or charged but not convicted of offences and the nature of this evidence/information suggests the applicant may not be a fit and proper person, the Council will give serious consideration to refusing an application or revoking an existing licence.

Period of licence

3f.24 Operator licences will be issued for a period of five years or for such lesser period as the Council think appropriate in the circumstances of the case.

Drivers of executive private hire vehicles

3f.25 Operators are encouraged to ensure that executive drivers undertake an advanced motoring qualification.

Use of executive private hire vehicles

3f.26 Executive private hire vehicles must only be used for executive service, which is defined as the provision of a vehicle or vehicles that is/are **exclusively** used for executive private hire work and **not** for 'normal' or general-purpose private hire use.

3f.27 The type of work that is considered 'executive service' includes, but is not restricted to:

- Exclusive business to business contracts, i.e. to transport employees and clients on business related journeys under a written contract to a company or person.

- Bookings for certain clients (for example politicians and celebrities) who, for security or personal safety reasons, would not want the vehicle to be identifiable as a private hire vehicle.
- Bookings for certain clients who want to hire an executive vehicle at a premium rate, where the applicant can demonstrate that the vehicle is used solely for the purposes of this type of hire.

3f.28 Bookings taken in respect of clients who require an executive private hire must be paid for on account. No payment can be made to the driver of the vehicle at time of hiring.

3f.29 Operators must be able to demonstrate the vehicle will be used for executive service by providing written confirmation that the vehicle will only undertake executive service.

New application process

3f.30 The application form must be fully completed and include all relevant information, supporting documentation and appropriate fee.

3f.31 The full fee for the licence is payable at the time the application is submitted.

3f.32 If any part of the application form is incomplete or the relevant information or supporting documentation is not provided, the applicant will be requested to provide the missing information/documentation and informed that the application will not be processed until such time as all the information/documentation is provided. If the applicant fails to provide all the information to complete the application, the application will be rejected.

3f.33 Once an application has been accepted by the Licensing Team as a valid application the application process must be completed within 6 months unless prevented from doing so by matters that are outside the applicant's control. When an application is not completed within this timescale the application will be referred to the Licensing Panel for determination where an officer with delegated authority will consider each case on its own individual merits and will determine what action is appropriate and proportionate to the circumstances of the case.

3f.34 Any person (including a sole trader, partnership or company) wishing to become a licensed private hire operator must:

- Submit a completed application form (where the application relates to a partnership or a company, the application form must provide the name, address and date of birth of all partners, directors/company secretaries, as appropriate)
- Submit a completed reference form, unless the applicant is the holder of a hackney carriage and private hire driver licence or private hire operator licence issued by Shropshire Council (NB the referees must be from either professional or business sources who have known the applicant for at least two years. In addition, the Council will not accept references from family members, drivers, operators, vehicle proprietors licensed with any local authority or, where relevant, the applicant's future employer unless there is satisfactory evidence of exceptional circumstances that are accepted by the Council). The Council reserves the right to refuse a reference where the Council deems the referee is not acceptable.
- Pay the appropriate licence fee
- Provide evidence of their right to work in the UK in accordance with the Home Office requirements (where the application relates to a partnership or a company, the evidence must be provided for all partners, directors/company secretaries, as appropriate – for additional information see

https://www.gov.uk/government/publications/licensing-authority-guide-to-right-to-work-checks)

- Provide a basic criminal record disclosure from the Disclosure and Barring Service, unless the applicant is the holder of a hackney carriage and private hire driver licence issued by Shropshire Council (applicants can apply to https://www.gov.uk/request-copy-criminal-record). A basic criminal record disclosure will only be accepted by the Council within three months of the date of issue from the Disclosure and Barring Service
- Provide proof that the person nominated in the application form as the Designated Person (DP) has completed the Council's hackney carriage and private hire drivers and operators safeguarding and disability awareness course, unless the nominated DP is the holder of a hackney carriage and private hire driver licence issued by Shropshire Council and has completed the Council's safeguarding and disability awareness course in the previous two years
- Provide a business plan/model; a business plan/model should include, but is not restricted to, a description of your business, premises location plan, competitive environment, a marketing plan, information on how you intend to grow/sustain the business and any other relevant information about how you will operate as a business
- Provide a policy on employing ex-offenders which meets the requirements set out in Appendix G, paragraphs 1.6 to 1.8
- Provide the proposed company advertisements, information, images and other material, including branding/logo

3f.35 Once an application has been validated and accepted, the Council will:

- Make enquiries through the Council's adults and children's social care teams, West Mercia Police (or other relevant force), other local authorities and any other organisation, agency or person that the Council has deemed appropriate to seek information from
- Where applicable, write to the referees provided
- Arrange an inspection of the operator business premises
- Where applicable, complete an online tax registration check

3f.36 **NB** For partnerships or companies, the requirements set out in paragraphs 3f.2 to 3f.23 apply to all partners and directors/company secretaries.

3f.37 Providing the above are satisfied and there are no other concerns about the application, Officers will grant the licence. In all other cases, the application will be referred to the Licensing Panel for determination. Each application will be decided on its merits. However, there is a presumption that unless an applicant can demonstrate exceptional circumstances the application will be refused. Whilst it is neither possible nor prudent to draw up a list of what might amount to exceptional circumstances, an applicant who claims that exceptional circumstances exist will be expected to be able to satisfy the Council that it would not frustrate the purposes of this Policy or compromise public safety if the licence were granted. The applicant will be notified in writing if their application is to be determined at a meeting of the Licensing Panel.

Renewal of a licence

3f.38 To allow the operator licence to be renewed, a renewal application form must be received by the Council at least 10 working days prior to the expiry date of the original licence (unless there is satisfactory evidence of exceptional circumstances that are accepted by the Council) to allow the Council sufficient time to process the renewal application. It is the Council's intention to process all valid renewal applications within 10 working days;

hence, where applicants fail to submit their renewal application within this timescale, the risk that their licence will expire increases. Once a licence expires, is revoked (subject to a statutory appeal process) or surrendered, it ceases to exist and applicants would not be permitted to take any bookings for, or dispatch any, private hire vehicles in these circumstances.

3f.39 Once a licence ceases to exist a renewal application will not be accepted by the Council (unless there is satisfactory evidence of exceptional circumstances that are accepted by the Council) and the applicant must submit a new private hire operator licence application which will be processed in accordance with the Council's new application procedures.

Renewal application process

3f.40 The application form must be fully completed and include all relevant information, supporting documentation and appropriate fee.

3f.41 The full fee for the licence is payable at the time the application is submitted.

3f.42 If any part of the application form is incomplete or the relevant information or supporting documentation is not provided, the applicant will be requested to provide the missing information/documentation and informed that the application will not be processed until such time as all the information/documentation is provided. If the applicant fails to provide all the information to complete the application, the application will be rejected.

3f.43 Once an application has been accepted by the Licensing Team as a valid application the application process must be completed within 6 months unless prevented from doing so by matters that are outside the applicant's control. When an application is not completed within this timescale the application will be referred to the Licensing Panel for determination where an officer with delegated authority will consider each case on its own individual merits and will determine what action is appropriate and proportionate to the circumstances of the case.

3f.44 Any person (including a sole trader, partnership or company) wishing to renewal a private hire operator licence must:

- Submit a completed application form (where the application relates to a partnership or a company, the application form must provide the name, address and date of birth of all partners, directors/company secretaries, as appropriate)
- Pay the appropriate licence fee
- Provide evidence of their right to work in the UK in accordance with the Home Office requirements (where the application relates to a partnership or a company, the evidence must be provided for all partners, directors/company secretaries, as appropriate – for additional information see https://www.gov.uk/government/publications/licensing-authority-guide-to-right-to-work-checks)
- Provide a basic criminal record disclosure from the Disclosure and Barring Service, unless the applicant is the holder of a hackney carriage and private hire driver licence issued by Shropshire Council (applicants can apply to https://www.gov.uk/request-copy-criminal-record). A basic criminal record disclosure will only be accepted by the Council within 12 months of the date of issue from the Disclosure and Barring Service
- Provide proof that the person nominated in the application form as the Designated Person (DP) has completed the Council's hackney carriage and private hire drivers and operators safeguarding and disability awareness course
- Provide a list of the vehicles and drivers which they operate

- Provide a policy on employing ex-offenders which meets the requirements set out in Appendix G, paragraphs 1.6 to 1.8

3f.45 Once an application has been validated and accepted, the Council will:

- Make enquiries through the Council's adults and children's social care teams, West Mercia Police (or other relevant force), other local authorities and any other organisation, agency or person that the Council has deemed appropriate to seek information from
- Arrange an inspection of the operator business premises
- Complete an online tax registration check

3f.46 **NB** For partnerships or companies, the requirements set out in paragraphs 3f.2 to 3f.23 apply to all partners and directors/company secretaries.

3f.47 Providing the above are satisfied and there are no other concerns about the application, Officers will grant the licence. In all other cases, the application will be referred to the Licensing Panel for determination. Each application will be decided on its merits. However, there is a presumption that unless an applicant can demonstrate exceptional circumstances the application will be refused. Whilst it is neither possible nor prudent to draw up a list of what might amount to exceptional circumstances, an applicant who claims that exceptional circumstances exist will be expected to be able to satisfy the Council that it would not frustrate the purposes of this Policy or compromise public safety if the licence were granted. The applicant will be notified in writing if their application is to be determined at a meeting of the Licensing Panel.

Contracting of private hire drivers and employment of other staff

3f.48 An operator is deemed to be responsible for the actions of any manager, supervisor, office based administrative and telephony staff, contracted private hire drivers or any other person appointed to run or play any part in the private hire operator business, whilst undertaking work for or behalf of the operator.

3f.49 An operator must take reasonable, appropriate and robust steps to reduce to a minimum the risk of employing or being employed by, engaging in partnership with, or allowing any involvement in the licensed operation any person who is unlikely to satisfy the Council's 'fit and proper person' test and therefore an operator must have regard to the information in paragraphs 3a.4 to 3a.24 of this Policy.

3f.50 An operator must take all reasonable, appropriate and robust steps to reduce to a minimum the risk of allowing any involvement in the licensed operation any person who may be working in 'regulated activity' as defined by the Safeguarding Vulnerable Groups Act 2006. It is an offence for an operator to knowingly allow a barred individual to work in regulated activity.

3f.51 An operator must make and retain individual records of the steps they have taken to demonstrate how they are satisfied that an individual, including all private hire drivers, managers, office based administrative and telephony staff and agency staff, is a fit and proper person. These steps must include, but are not restricted to:

- Face to face interviews with individuals
- Checks to ensure that the information provided by applicants is verified
- Independent professional and character references are requested and scrutinised

- Identity checks, right to work in the UK checks, national insurance number checks and relevant qualifications checks (if any) are verified as original documents
- Checks on previous employment history and experience
- Steps that are taken to verify that the individual has the health and physical capacity for the role
- A record of any discrepancies or anomalies, how they have been investigated and satisfactorily resolved

3f.52 An operator is responsible for ensuring that all new managers, office based administrative and telephony staff and agency staff[20] have undertaken a basic criminal record check from the Disclosure and Barring Service (applicants can apply to https://www.gov.uk/request-copy-criminal-record) in order to satisfy the Council's 'fit and proper person' test as set out in **Appendix I**.

3f.53 An operator is responsible for ensuring that all managers, office based administrative and telephony staff and agency staff continue to satisfy the 'fit and proper' test and where they have spent three continuous months or more living outside the United Kingdom, during the period of their employment, operators must ensure that each member of staff produces a certificate of good conduct or equivalent document at their own cost. This certificate must be issued by the relevant Embassy or High Commission for the country or countries lived in during this period. The operator must retain the certificate on an individual's record file. It is recognised that some countries will not provide a certificate of good conduct unless the individual has been resident for six months or more. Where a relevant Embassy or High Commission refuse to issue a certificate of good conduct, written confirmation from the Embassy of any refusal must be provided to the operator.

3f.54 An operator is responsible for ensuring that all private hire drivers and employees are made aware of and fully understand the meaning of 'plying for hire' and, in particular, that private hire drivers are NOT permitted to 'ply for hire' under any circumstances. The Council's interpretation of 'plying for hire' is set out at **Appendix H** and is based on relevant legislation and case law.

3f.55 An operator is responsible for ensuring that all private hire drivers, managers, office based administrative and telephony staff and agency staff have undertaken training in the General Data Protection Regulations (GDPR) and the Equality Act 2010.

3f.56 An operator is responsible for ensuring that all managers, office based administrative and telephony staff and agency staff have undertaken training in awareness of child, young persons and adults (including those with care and support needs) related exploitation (including sexual exploitation), hate crime, equalities, modern day slavery and trafficking.

3f.57 An operator is responsible for ensuring that all managers, office based administrative and telephony staff and agency staff have undertaken disability awareness training. The training should include but not limited to:

- the features of an inclusive, high-quality service
- appropriate attitudes, behaviours and skills
- assistance that can be provided to all passengers
- the protected characteristics, and related Equality Act 2010 duties
- understanding the different barriers that disabled people face when using private hire vehicles, and how they might be identified

[20] Operators are responsible for ensuring that the agency has undertaken the necessary checks to satisfy the requirements of 3f.52

- the role of private hire vehicles in enabling disabled people to be independent and the role of operators in facilitating this
- how to communicate with people with different communication needs
- how to assist people with a range of visible and less visible impairments
- the identification and role of assistance dogs
- legal obligations towards disabled passengers and the consequences of not complying with them
- an assessment of the trainee's knowledge and skills

3f.58 An operator is responsible for ensuring that all managers, office based administrative and telephony staff and agency staff afford all customers and prospective customers the highest level of customer service and care.

3f.59 An operator is responsible for ensuring that all private hire drivers, managers, office based administrative and telephony staff and agency staff are fully aware that their individual training records file will be made available, on request, to an authorised officer of the Council or to a police officer.

3f.60 An operator is responsible for ensuring drivers do not work excessively long hours and put the safety of themselves and their passengers at risk. The Council strongly recommends that operators monitor the hours that a driver works and ensures adequate breaks and rest periods are taken. To this end, operators must have regard to the Working Time Regulations on driver hours and working time.

Designated person

3f.61 Operators must have a suitably trained Designated Person (DP) with specific responsibility for safeguarding and promoting matters of equality, through relevant policies.

3f.62 The DP is responsible for ensuring:

- That they are available to receive any matters of concern which may relate to the safety of children, young persons and adults (including those with care and support needs)
- A record is maintained of all matters of concern received and the action taken
- That they actively promote equalities in general and specifically in relation to hate crime and disability matters
- That any matters of concern reported to them are forwarded to the relevant authorities

3f.63 Operators must ensure that the DP completes the Council's hackney carriage and private hire drivers and operators safeguarding and disability awareness course.

3f.64 Unless the DP is the holder of a hackney carriage and private hire driver licence issued by Shropshire Council and required to complete the training as part of the driver application process, operators are responsible for ensuring that the DP satisfactorily completes a safeguarding and disability awareness course every two years.

3f.65 Where a new person is appointed as a DP, the operator is responsible for ensuring that the new DP completes the Council's hackney carriage and private hire drivers and operators safeguarding and disability awareness course within six weeks of commencement in the role of DP, unless the new DP is the holder of a hackney carriage and private hire driver licence issued by Shropshire Council and required to complete the training as part of the driver application process.

3f.66 Failure to complete this training, in accordance with the requirements of paragraphs 3f.63 to 3f.65 above, will permit the Council to refuse to grant/refuse to renew a private hire operator licence or, in the case of an existing licence, will result in the matter being referred to a meeting of the Licensing Panel for a decision as to whether the private hire operator licence ought to be suspended or revoked.

Operator trading name and telephone number

3f.67 An operator's name and/or trade name must be approved by the Council. This name will appear on the operator's licence issued by the Council.

3f.68 The name must not include the words 'taxi' or 'cab' in the singular or plural or the word 'hire' unless the word 'hire' forms part of the trading name.

3f.69 An operator may only include the word 'executive' in the trading name where the operator provides an executive service with licensed executive private hire vehicles.

3f.70 Where an operator intends to use a telephone number for the receipt of bookings, this must be provided. This telephone number will appear on the operator's licence issued by the Council.

Use of information on and in relation to hackney carriages and private hire vehicles

3f.71 Operators may display advertisements, information, images and other material on private hire vehicles in accordance with the conditions set out at **Appendix L**. This is subject to prior written approval from the Council.

3f.72 Operators are encouraged to ensure that any private hire vehicle being dispatched by them displays the operator's name and/or trade name, as approved by the Council.

3f.73 Any advertising/promotion of the operator's business must be in accordance with the conditions set out in **Appendix L**. This is subject to prior written approval from the Council. Artwork must be submitted with the application.

Operator premises

3f.74 The Council will grant an operator licence in the absence of the appropriate planning consent required to operate the business; however, applicants are strongly advised to demonstrate to the Council that they do have/are obtaining the appropriate planning consent if required.

3f.75 The Council will only grant operator licences applicable to the physical premises from which the operator business will be run.

3f.76 The Council will not grant an operator licence to apply to any physical premises that falls outside the administrative area of Shropshire Council.

3f.77 All requests to transfer the business address to a new premises will be treated as a new private hire operator application (in accordance with the requirements set out at paragraphs 3f.30 to 3f.36).

NB An operator is not permitted to take bookings at or to dispatch vehicle from the new premises until the application has been processed and a licence granted.

3f.78 There are a number of specific conditions set out in the operator licence conditions that apply to premises. Operators must be particularly mindful of complying with these and should they fail to do so the Council will consider suspending or revoking the operator licence.

Insurance

3f.79 Any premises that provides access to members of the public must be covered by Public Liability insurance for a minimum of £5,000,000.

3f.80 The operator must also obtain information as to any requirement for them to have Employers Liability Indemnity; if there is such a requirement, it must be for a minimum of £5,000,000.

3f.81 Where any vehicle is insured under a fleet insurance, an operator (as the policy holder) is responsible for ensuring that the driver of that vehicle is aware of the content of the policy, including its limitations and exclusions, and that they keep records to this effect.

Standards of service

3f.82 The Council is concerned to ensure the safety and protection of consumers.

3f.83 The Council considers that where the hirer of a private hire vehicle has booked a journey through a Shropshire Council licensed operator, it is the hirer's intention that a Shropshire Council licensed vehicle will fulfil this booking.

3f.84 Operators have a duty to ensure that their fare structure is transparent and made available. Operators are encouraged to inform customers, at the point of booking, and prior to the booking being accepted as to the fare that will be charged for the journey.

Record keeping

3f.85 Operators must keep records in accordance with the conditions attached to their licence. The conditions of licence as detailed in **Appendix G**, paragraphs 1.59 to 1.61 are associated with bookings made by telephone, online, app, Interactive Voice Response (IVR) or other electronic means, e.g. "taxi butler". If an operator intends to use an alternative booking system the requirements of paragraphs 1.48 to 1.61 still apply.

3f.86 Such records must be produced when requested by an authorised officer of the Council or a police officer. Operators must produce, when requested by an authorised officer of the Council or a police officer, any information necessary to assist in the prosecution of criminal offences, e.g. witness statement.

Vehicle not fit for the conveyance of passengers

3f.87 Where an operator has notified the Council that damage has occurred to a vehicle, otherwise than in accordance with relevant road traffic legislation, the Council may require photographic evidence of the damage or for the vehicle to be presented for inspection by an authorised officer of the Council.

Closed circuit television (CCTV)

3f.88 Operators are encouraged to install closed circuit television (CCTV) systems in premises to which the public have access to make bookings or to wait providing such systems are

installed in accordance with the appropriate legal framework and the Council has been notified, in writing, of their intention to do so.

3f.89 Operators must register with the Information Commissioners Office (ICO) and maintain a valid registration throughout the duration of the operator licence or until such a time as the CCTV system has been removed from the premises.

Passengers with Disabilities: Operator requirements

3f.90 Operators have a responsibility to ensure that any Shropshire Council licensed driver is made aware of their duties in respect of carrying persons with disabilities where:

- The hackney carriage or private hire vehicle is not included on a list of designated wheelchair accessible vehicles and where the passenger has a disability, including wheelchair users (with the assumption that the wheelchair user transfers to a passenger seat to travel)
- The hackney carriage or private hire vehicle is included on the list of designated wheelchair accessible vehicles and where the passenger has a disability but not in a wheelchair, and that
- Failure to comply with those duties is a criminal offence under section 164A of the Equality Act 2010

Passengers with disabilities – Assistance to identify and find vehicle: Operator requirements

3f.91 Operators have a responsibility to ensure that appropriate questions are asked at the booking stage as to whether a passenger requires assistance and, if so, what form of assistance is required, for example, asking questions about the size of any wheelchair so that an appropriate sized vehicle can be allocated to the booking.

3f.92 Operators should not attempt to identify a person's impairment or disability, only what type of assistance the driver needs to provide in order for the passenger to board, travel in and alight from the vehicle in safety and reasonable comfort.

3f.93 Operators have a responsibility to ensure that all relevant information is passed on the driver at the point of allocation of the booking and prior to commencement of the journey.

Passengers with disabilities using wheelchairs: Operator requirements

3f.94 Operators have a responsibility to ensure that any Shropshire Council licensed driver who drives one of their wheelchair accessible vehicles is made aware of their duties in respect of carrying persons using wheelchairs when driving a designated wheelchair accessible vehicle and that failure to comply with those duties is a criminal offence under section 165 of the Equality Act 2010.

List of Designated Wheelchair Accessible Vehicles

3f.95 Section 167 of the Equality Act 2010 requires all local authorities to maintain a list of designated wheelchair accessible vehicles.

3f.96 All wheelchair accessible vehicles will be included within the Council's list of designated wheelchair accessible vehicles, unless the vehicle has been subject to a successful appeal against the decision to be included on the list.

3f.97 The list will contain details of the make and model of the vehicle and will state the operator's name.

Licence conditions

3f.98 Applicable conditions relevant to a private hire operator licence are set out at **Appendix G**. These conditions must be complied with.

Main legal requirements

3f.99 Paragraphs 3f.100 to 3f.103 is not exhaustive and unless otherwise specified please refer to the Local Government (Miscellaneous Provisions) Act 1976 for a full list of legal requirements, offences and the maximum penalty upon conviction.

3f.100 Contract

Every contract for the hire of a private hire vehicle is deemed to be made with the operator who accepted the booking for that vehicle whether or not the operator provided the vehicle or sub-contracted the booking.

3f.101 Production of records/documents

Any records required to be retained in accordance with the licence must be produced, on request, to any authorised officer of the Council or to any police officer. The operator licence must also be produced if requested.

3f.102 All original supporting documentation provided upon application must be retained for the duration of the licence period and must be produced, on request, to any authorised officer of the Council or to any police officer.

3f.103 Transporting children

As a minimum, operators must ensure the vehicles they operate are capable of complying with the requirements set out in the table below, for further guidance see https://www.gov.uk/child-car-seats-the-rules/when-a-child-can-travel-without-a-car-seat.

	Front seat	**Rear seat**	**Who is responsible?**
Child up to 3 years	Correct child restraints must be used	Correct child restraint must be used. If a restraint is not available in a licensed hackney carriage or private hire vehicle, the child may travel unrestrained.	Driver**
Child from 3rd birthday to 12th birthday or 135 cm in height whichever they reach first	Correct child restraints must be used	Where seat belts are fitted, the correct child restraint must be used. The child must use adult belt if the correct child restraint is not available as follows: in a licensed hackney carriage or private hire vehicle; or for a short distance in an unexpected necessity; or two occupied child restraints prevent fitting of a third. A child 3 years and over may travel unrestrained in the rear seat	Driver**

		of a vehicle if seat belts are not fitted in the rear.	
Child over 135 cm in height or 12 or 13 years old	Seat belt must be worn if available*	Seat belt must be worn if available.	Driver**
Passengers aged 14 years and over	Seat belt must be worn if available*	Seat belt must be worn if available.	Passenger

*Vehicles built before 1965 are not required to have fitted seatbelts.

**Drivers must inform parents/carers that the decision to permit children to travel in the vehicle, without the correctly sized seat restraints (as permitted by relevant legislation) and with the obvious risks associated with such an action, remains with the parent/carer responsible for the children and not with the driver of the vehicle.

PART 4

COMPLIANCE, ENFORCEMENT AND COMPLAINTS

PART 4 – COMPLIANCE, ENFORCEMENT AND COMPLAINTS

Summary

4.0 This part of the Policy sets out the manner in which the Council approaches compliance and enforcement, including the way in which complaints will be dealt with, as it relates to hackney carriage and private hire licensing.

Compliance and enforcement

4.1 The Council's licensing officers will work closely with the hackney carriage and private hire trades to achieve compliance with this Policy, relevant legislation and the Council's conditions of licence. The Council will do so in accordance with the Council's Better Regulation and Enforcement Policy, which is available on the Council's website at https://next.shropshire.gov.uk/trading-standards/enforcement-policy/. In addition, hackney carriage and private hire vehicle drivers, proprietors and operators must comply with all reasonable requests made by officers of Shropshire Council or any other relevant local authorities (particularly Telford & Wrekin Council and City of Wolverhampton Council) and the police. Failure to do so may lead to the suspension or revocation of a driver licence, vehicle licence or private hire operator licence.

4.2 The Council will work closely with other enforcement authorities, particularly Telford & Wrekin Council and City of Wolverhampton Council, when dealing with licensed and unlicensed vehicles and drivers, particularly concerning cross-boundary related issues.

4.3 If the Council receives information in relation to any safeguarding or road safety concerns about a hackney carriage or private hire driver who is licensed by another licensing authority, the relevant information will be shared with that authority.

4.4 Licence holders are strongly encouraged to cooperate with authorised officers of the Council, officers from all other local authorities and any police officer. Failure to cooperate may lead to the suspension or revocation of a driver licence, vehicle licence or private hire operator licence.

Complaints

4.5 Where appropriate, complainants will be encouraged to raise complaints with the relevant licence holder or business concerned. However, the Council will also respond to complaints in line with its Better Regulation and Enforcement Policy and will use complaint information to assist in the determination of licensing decisions.

4.6 Individuals or persons wishing to make a complaint relating to the service provided by the hackney carriage and/or private hire trade can do so by contacting the Licensing Team:

Website: https://next.shropshire.gov.uk/licensing/licensing-types/taxis-hackney-carriages-and-private-hire/
Email: taxis@shropshire.gov.uk
Tel: 0345 678 9046

PART 5

CONSULTATION

Appendix C

PART 5 – CONSULTATION

1.0 Members of the public were invited to put forward their comments to the proposed policy document during a series of consultation periods. In addition, consultation was undertaken with the following stakeholders and partners:

A list of consultees will be included in the final version of the policy.

PART 6

LICENSING CONTACT DETAILS

PART 6 – LICENSING CONTACT DETAILS

Contact details

6.0 For information, advice and guidance relating to hackney carriage and private hire licensing please contact:

Licensing Team
Business and Consumer Protection Service

Email: taxis@shropshire.gov.uk
Tel: 0345 678 9046
Website: https://next.shropshire.gov.uk/licensing/licensing-types/taxis-hackney-carriages-and-private-hire/

Licence Fee Payments

6.1 Payments for licensing related fees can be made:

- Telephone: 0345 678 9046
- Online: https://next.shropshire.gov.uk/do-it-online/pay/

APPENDICES

APPENDIX A

SAFEGUARDING OF CHILDREN, YOUNG PERSONS AND ADULTS (INCLUDING THOSE WITH CARE AND SUPPORT NEEDS)

SAFEGUARDING OF CHILDREN, YOUNG PEOPLE AND ADULTS (INCLUDING THOSE WITH CARE AND SUPPORT NEEDS)

Introduction

1.0 Set out below is information for hackney carriage and private hire drivers, vehicle proprietors and operators to help them report, to the relevant authorities, matters of concern that could relate to the safety of children, young people and adults (including those with care and support needs), particularly as it relates to exploitation, which includes sexual exploitation, criminal exploitation, modern slavery (including human trafficking), financial exploitation and radicalisation, as well as other forms of abuse, such as neglect, emotional abuse, sexual abuse, physical abuse etc.

General information

1.1 Shropshire Council's Licensing Service is helping to tackle exploitation and abuse by working together with key partners, particularly West Mercia Police, Children's and Adult Services within the Council and the Shropshire Safeguarding Community Partnership[21]. The Partnership also works with the police, children's and adults social care, schools, health services and the youth offending team, as well as specialist child exploitation organisations such as the National Working Group (NWG) Network.

1.2 Through agencies working together and sharing information, we aim to identify and prevent exploitation and abuse to protect children, young people and adults (including those with care and support needs) and disrupt the activities in order to prosecute perpetrators of abuse.

1.3 Intelligence about perpetrators and locations of concern is crucial to help build up a picture of exploitation and abuse in Shropshire. This allows West Mercia Police and Children's and Adult Services to work together to safeguard children, young people and adults (including those with care and support needs) and make our communities a safer place to live.

Definition of a child or young person

1.4 A child is defined as anyone who has not yet reached their 18th birthday. A young person is a child who is aged 14 or over but not yet reached their 18th birthday.

Definition of an adult with care and support needs

1.5 An adult with care and support needs is someone who is in need of community care services due to disability, age or illness. They may be unable to take care of or protect themselves against significant harm or exploitation.

Exploitation

1.6 Exploitation is a form of abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child, young person or adult (including those with care and support needs) into any activity that results in financial or

[21] Further information about Shropshire's Safeguarding Community Partnership can be found at: http://www.safeguardingshropshireschildren.org.uk/

other advantage for the perpetrator or facilitator. Specific types of exploitation include sexual exploitation, criminal exploitation, modern slavery (including human trafficking), financial exploitation and any other exploitation that enables benefits of any kind (eg removal of organs, forced marriage, illegal adoption).

1.7 Multiple types of exploitation can occur alongside one another or as part of other forms of abuse.

1.8 The child, young person or adult (including those with care and support needs) may still be exploited even if the activities that they are engaging in appear consensual.

1.9 Exploitation is a crime that can affect any child, young person or adult (including those with care and support needs) anytime, anywhere – regardless of their social or ethnic background.

Child criminal exploitation

1.10 Child criminal exploitation (CCE) is common in county lines and occurs where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child or young person under the age of 18 into any criminal activity:

- in exchange for something the child or young person needs or wants; and/or
- for the financial or other advantage of the perpetrator or facilitator (such as to support serious crime and/or terrorism); and/or
- through violence or the threat of violence to ensure compliance.

1.11 The child or young person may have been criminally exploited even if the activity appears consensual. Child criminal exploitation does not always involve physical contact; it can also occur through the use of technology.

1.12 Criminal exploitation of children or young people could include being forced to work on cannabis farms, coerced into moving drugs across the country, made to beg, shoplift or pickpocket, made to threaten others, etc.

Child sexual exploitation

1.13 Child sexual exploitation (CSE) is a form of sexual abuse where an individual or a group of people takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person into sexual activity:

- in exchange for something the child or young person needs or wants, including necessities such as food, shelter, alcohol, drugs, money, affection or protection; and/or
- for the financial advantage or increased status of the perpetrator or facilitator; and/or
- where an individual has felt frightened of the consequences if they refuse (coercion).

1.14 Child sexual exploitation involves perpetrators grooming youngsters into thinking they are in an intimate relationship, leading the child or young person to feel safe and protected if they engage in sexual acts.

1.15 The child or young person may have been sexually exploited even if the activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology.

Modern slavery (including human trafficking)

1.16 Modern slavery is a crime and a violation of fundamental human rights and can take various forms such as human trafficking, slavery, servitude, forced and compulsory labour. Victims are forced, threatened or deceived into situations of subjugation, degradation and control which undermine their personal identity and sense of self.

1.17 Modern slavery very often involves an element of human trafficking. The definition of this and how it occurs takes many different forms – but usually includes the recruitment, transportation, transfer, receipt or exchange of people. Public transport is often used for this, however examples where hackney carriages or private hire vehicles are often used is when a person is moving drugs between areas, a person being exploited to sell drugs or go missing, travelling to meet an exploiter or being provided transport by an adult to meet others. In these examples, the presenting symptoms of a trafficked or exploited child, young person or adult (including those with care and support needs) would not necessarily be obvious, and therefore professional curiosity and awareness is key. Other common themes could be; if a child, young person or adult (including those with care and support needs) is alone, paying for passage to an unfamiliar area, somehow paying for a long journey without obvious means, asking for frequent/daily pickups, looking dishevelled, distraught or upset, presenting under the influence of drugs or alcohol, collected or dropped in area that may be known for criminality or risk, or collected from a very rural area, then these needs to be reported to the Police and Local Authority.

1.18 If you notice a house in your street where suddenly large numbers of young women have been moved in and which then receives visitors all times of day and night; a café, nail bar or car wash where workers seem reticent to engage, not appropriately dressed for their work or increasingly ill fed and unkempt, this could be a sign of modern slavery. Report something suspicious you spot to the police or other authorities.

How hackney carriage and private hire vehicle drivers, private hire operators and vehicle proprietors can help tackle exploitation and abuse

1.19 Safeguarding children, young people and adults (including those with care and support needs) is everyone's business and everyone's responsibility.

1.20 Drivers of hackney carriages and private hire vehicles as well as private hire operators and vehicle proprietors are in a good position to help identify victims of exploitation and abuse because, through the transport services they provide, drivers, operators and vehicle proprietors regularly come into contact with children, young persons and adults (including those with care and support needs). This means that hackney carriage and private hire vehicle drivers and private hire operators and vehicle proprietors are in an ideal position to help protect people.

1.21 In particular, drivers, proprietors and operators should ask themselves the following questions when picking up a fare or accepting a booking where they suspect the passenger may be a victim of exploitation or abuse:

- Does your customer appear to be under 18 years old?
- Who made the booking on behalf of the customer?
- Are they with a much older person and appear to be in a relationship?
- Do you think that they are under the influence of alcohol or drugs?
- Are you taking them to a hotel, party or secluded location? If so, ask yourself why?

- Are children/young people or adults (including those with care and support needs) being taken regularly to the same localities? If so, ask yourself why?
- Has your customer got any physical signs of abuse or neglect?
- Are they a regular customer? Do you see changes in their behaviour or mood?
- Has the customer told you they are having difficulties with someone else?
- Has the customer told you they are worried about someone?
- Has the customer told you they have hurt a person?
- Has the customer told you something they have seen or heard?
- Do you know something that causes concern about someone else's welfare?
- Have you seen worrying behaviour towards someone?

1.22 If the answers to any of the questions above gives you even the slightest cause for concern, these concerns should be reported.

1.23 If you have reason to suspect that a child or young person is being exploited or at risk of abuse it is your responsibility to report your concerns to and share information with the police by calling 101, and Children's Social Care on 0345 678 9021, Monday to Friday 9am to 3pm (or 0345 678 9040 if out of hours).

1.24 If you have reason to suspect that an adult is being exploited or at risk of abuse it is your responsibility to report your concerns to and share information with the police by calling 101, or 999 in an emergency.

1.25 Where these concerns relate to an adult with care and support needs who lives in the administrative area of Shropshire Council, it is your responsibility to contact the First Point of Contact team on 0345 678 9044, Monday to Friday 9am to 3pm. If you have an adult safeguarding concern outside of these hours, please phone the Emergency Social Work Duty Team on 0345 678 9040.

1.26 In an emergency contact the police (999) or non-emergency 101.

1.27 When picking up a fare or accepting a booking drivers, proprietors and operators should ask themselves the following questions where they suspect the passenger may be a victim of modern slavery:

- Is the victim in possession of a passport, identification or travel documents? Are these documents in possession of someone else?
- Does the victim act as if they were instructed or coached by someone else? Do they allow others to speak for them when spoken to directly?
- Was the victim recruited for one purpose and forced to engage in some other job? Was their transport paid for by facilitators, whom they must pay back through providing services?
- Does the victim receive little or no payment for their work? Is someone else in control of their earnings?
- Was the victim forced to perform sexual acts?
- Does the victim have freedom of movement?
- Has the victim or family been threatened with harm if the victim attempts to escape?
- Is the victim under the impression they are bonded by debt, or in a situation of dependence?
- Has the victim been harmed or deprived of food, water, sleep, medical care or other life necessities?
- Can the victim freely contact friends or family? Do they have limited social interaction or contact with people outside their immediate environment?

1.28 If the answers to any of the questions above gives you even the slightest cause for concern, these concerns should be reported.

1.29 If there is an immediate danger to the suspected victim or if you think that the suspected victim is under 18, inform the police and call 999 as a matter of urgency.

1.30 Call the Modern Slavery Helpline on 0800 0121 700

1.31 For **England and Wales**, you can call the **24-hour confidential referral helpline** on **0800 808 3733** anytime of the day or night to refer a victim of trafficking or receive advice.

APPENDIX B

HACKNEY CARRIAGE/ PRIVATE HIRE DRIVER LICENCE

CONDITIONS OF LICENCE

HACKNEY CARRIAGE/PRIVATE HIRE DRIVER LICENCE - CONDITIONS OF LICENCE

General

1.0 Additional information regarding all aspects of driver licensing is available in Shropshire Council's Hackney Carriage and Private Hire Licensing Policy. The Policy must be in read in conjunction with the specific conditions set out below. Any legal requirements that apply to the operation of a driver licence are regarded as if they are conditions of the licence, whether specifically listed or referred to below or in the policy or not. Where reference is made to legal requirements either in the conditions below or in the Council's policy, drivers are advised that such references are not exhaustive and it is the driver's responsibility to ensure they are fully aware of all relevant legal requirements with which they must comply.

1.1 All references to 'driver' in the conditions set out below mean a driver who holds a driver licence issued by the Council in accordance with the Council's Hackney Carriage and Private Hire Licensing Policy and relevant legislation.

Fit and proper person

1.2 Throughout the currency of the licence, the driver must continue to be a fit and proper person to hold the licence. In this respect, the driver must have due regard to the relevant provisions of the Council's policy, be aware of the checks that will be undertaken by the Council and act in accordance with the responsibilities that being a fit and proper person would reasonably place on a licensed driver.

1.3 In particular, during the currency of a licence, the driver must notify the Council, in writing, within 48 hours, if:

- They are interviewed under caution or attend a voluntary interview
- They receive any warnings, cautions, community resolutions, non-molestation orders, child abduction warning notices, domestic violence prevention orders, anti-social behaviour orders, immigration penalties, fixed penalties or driving endorsements (driving convictions), including any from outside the UK
- They are disqualified from driving, or their DVLA or other relevant driving licence is revoked
- They are arrested, including any arrest from outside the UK (whether or not charged with an offence)
- They are charged with any criminal offence, including any from outside the UK (includes driving/motoring offences)
- They receive bail conditions or bail extensions. A copy of the bail notice must be provided to the Council
- They are summonsed to court for any criminal offence, including any from outside the UK (includes driving/motoring offences)
- They are convicted of any criminal offence, including any conviction from outside the UK (includes driving/motoring offences)
- Any allegations are made of their involvement in criminal activity, including any from outside the UK
- A licence issued by DVLA on behalf of the Office of the Traffic Commissioner, i.e., Passenger Carrying Vehicle (PCV) licence, Public Service Vehicle (PSV), is suspended or revoked or if they receive a written warning

- A licence issued by another Local Authority is suspended or revoked or if they receive a written warning

1.4 It is the responsibility of the driver to notify their insurance company and the vehicle proprietor of any criminal offences relating to driving/motoring offences, fixed penalties or driving endorsements (driving convictions).

1.5 It is the responsibility of the driver to notify their private hire operator of any warnings, cautions, fixed penalties or driving endorsements (driving convictions) or criminal convictions/offences listed at 1.3 above.

Criminal record disclosure

1.6 Where a licence has been renewed and issued subject to the receipt of a satisfactory enhanced DBS certificate, the applicant must provide the Council with the DBS certificate within 7 days of the date of receipt. Failure to do so may result in the driver's licence being suspended or revoked.

1.7 Drivers must subscribe to the DBS Update Service, within 30 calendar days of the issue date, as stated on the DBS certificate.

1.8 Drivers must evidence continuous registration to the DBS Update Service throughout the currency of the licence.

1.9 Drivers who are unable to subscribe to the DBS Update Service must provide a copy of a new enhanced DBS certificate that meets the requirements set out in Part 3, paragraphs 3.5 to 3.13 of the Policy, every six months.

Travelling abroad

1.10 Applicants must notify the Council when it is their intention to reside outside of the United Kingdom for three continuous months or more prior to travel.

1.11 Applicants must notify the Council as soon as is reasonably practicable where travel plans are extended resulting in an applicant residing outside of the United Kingdom for three continuous months or more.

1.12 Applicants who have spent three continuous months or more living outside the United Kingdom, during the period of their licence must produce a certificate of good conduct or equivalent document (at their own cost). This certificate must be issued by the relevant Embassy or High Commission for the country or countries lived in during this period and meet the requirements as set out at 3a.15 of the Policy. It is recognised that some countries will not provide a certificate of good conduct unless the individual has been resident for six months or more. Where a relevant Embassy or High Commission refuse to issue a certificate of good conduct, applicants must provide written confirmation from the Embassy of any refusal to the Licensing Team.

Driver badge and licence

1.13 Drivers must display the 'Vehicle Copy' driver badge, issued by the Council, in the adhesive holder provided on the inside of the windscreen of the vehicle so as to be plainly visible at all times to passengers.

1.14 Loss of a driver badge must be reported immediately to the Council. The driver must immediately obtain a new driver badge from the Council for which a fee will be charged. If the original badge is then found, it must be returned to the Council.

Production of records/documents

1.15 All original supporting documentation provided upon application must be retained for the duration of the licence period and must be produced, on request, to any authorised officer of the Council or to any police officer.

Insurance

1.16 It is the responsibility of a driver with a driver licence to ensure they are correctly insured to drive the vehicle.

Safety of children, young persons and adults (including those with care and support needs)

1.17 Where a driver has concerns that a child, young person or an adult (including those with care and support needs) is at risk of immediate harm, the driver **must promptly** call the emergency services on **999**.

1.18 Where a driver has concerns that could relate to the safety of children, young persons and adults (including those with care and support needs), they must report those concerns to the licensed operator's Designated Person for Safeguarding or, where this is not possible, directly to the relevant authority.

Conduct

1.19 The driver MUST, at all times when working as a hackney carriage and private hire driver:

- Wear their driver badge around their neck using the council issued lanyard and badge holder ensuring that their photograph and licence details are visible. A driver must demonstrate that they are licensed to undertake hackney carriage or private hire work by willingly showing their driver badge to passengers, an authorised officer or any police officer.
- Be clean and respectable in their dress and person and maintain a high standard of personal hygiene.
- When driving an executive licensed private hire vehicle be dressed appropriate to the occasion and as a minimum standard shall wear suit, shirt and tie.
- Behave in a civil and orderly manner towards all persons including, but not limited to, other road users, pedestrians, customers, the general public, other licensed operators and drivers of hackney carriage and private hire vehicles, police officers, officers and elected members of the Council.
- Co-operate with any reasonable request made by an authorised officer of the Council or any police officer.
- Ensure that they do not work excessively long hours and take adequate breaks and rest periods.
- Be courteous to passengers, e.g., greeting passengers and opening vehicle doors on behalf of passengers.
- Take all reasonable steps to assist passengers when they are entering or alighting from the vehicle and to convey them, subject to any instructions given by them, to their destination by the shortest practicable route and to ensure their safety.

- Ensure that all passengers have safely entered and exited the vehicle, along with any of their luggage, mobility aids and pushchairs etc. before setting off.
- Convey a reasonable amount of luggage/other items, e.g., suitcases, shopping bags etc., and afford reasonable assistance in the loading and unloading of any luggage/other items.
- When, having agreed or been hired to attend a specific location at an appointed time with their vehicle, unless delayed/prevented from doing so by some sufficient/reasonable cause, punctually attend at such appointed time and place.
- Show due consideration when driving through residential areas.

1.20 The driver MUST NOT, at any time when working as a hackney carriage and private hire driver:

- Use aggressive, offensive, racist, homophobic, discriminatory, transphobic, abusive, profane or insulting language or behaviour.
- Request or retain any personal contact information or attempt to establish a personal relationship with passengers.
- Use a mobile phone or other hand-held device to watch any videos, newsreels, social media etc or to make or receive any video enabled calls when driving a licensed vehicle, this includes any device that may be attached to a cradle or holder.
- Carry any unessential items in the boot of the vehicle or the passenger seating area which would prevent a wheelchair or mobility aid from being stowed there or prevent a wheelchair user from travelling while seating in their wheelchair.
- Touch a wheelchair or mobility aid or seek to provide physical assistance to a passenger unless the passenger has given them permission to do so.
- Smoke or permit passengers to smoke in their vehicle (this includes electronic cigarettes and vaping).
- Without the express permission of the hirer, eat or drink in the vehicle. (Drivers are only permitted to eat or drink in a vehicle when the vehicle is stationery.)
- Permit any items to be hung from or attached to the rear-view mirror
- Display any mascots notices, marks, numbers, letters, figures, symbols or emblems, national flags or other flags/emblems, except the national flag of the United Kingdom (the Union Flag) which may be displayed in accordance with **Appendix L**, Use of information on, in and from a licensed hackney carriage and private hire vehicle.
- Cause or permit sound emitted from any radio/sound reproducing instrument or equipment in the vehicle to be an annoyance/nuisance to any person, whether inside or outside the vehicle.
- Sound their vehicle's horn to alert passengers of the vehicle's arrival.
- Leave the vehicle with the engine running when waiting between journeys.
- Permit persons to be carried in the vehicle unless they have the consent from the person who is actually hiring the vehicle.
- Allow any persons to drive a vehicle unless they are authorised to do so by the proprietor, hold an appropriate licence and are insured to do so.
- Leave their vehicle unattended in any street, rank/stand or public place or venue.
- Obstruct other drivers/vehicles from undertaking their normal hiring and driving activities.

Plying for hire

1.21 The driver MUST NOT, at any time when working as a private hire driver:

- Take fares that have not been pre-booked through their licensed private hire operator.

- Make a booking on behalf of a prospective passenger, e.g., via their radio or mobile telephone.

Disabled passengers: Duties of drivers

1.22 The driver MUST, at all times when working as a hackney carriage and private hire driver, unless the vehicle being driven is a designated wheelchair accessible vehicle whereby the driver is subject to the requirements of condition 1.25 below:

- Carry the passenger
- If the passenger is in, or has with them a wheelchair, to carry the wheelchair
- If the passenger has with them any mobility aids, to carry the mobility aids
- Take such steps as are reasonable to ensure that the passenger is carried in safety and reasonable comfort
- Provide reasonable levels of mobility assistance, which includes but is not restricted to enabling the passenger to get into or out of the vehicle, to load the passenger's luggage, wheelchair or mobility aids into or out of the vehicle

1.23 The driver MUST NOT, at all times when working as a hackney carriage and private hire driver:

- Make, or propose to make, any additional charge for complying with the duty listed in condition 1.22 above.
- Refuse hires unless it would not be possible or reasonable for the wheelchair or mobility aids to be carried safely in the vehicle.
- Refuse hires unless the driver would not have reasonably known that the passenger was disabled or that the passenger required mobility assistance.

Disabled passengers: Assistance to identify and find vehicle

1.24 The driver MUST, at all times when working as a hackney carriage and private hire drive, where the driver has been made aware that the passenger requires assistance to identify or find their vehicle:

- Take such steps as are reasonable to assist the passenger to identify and find the vehicle that has been pre-booked.

Disabled passengers in wheelchairs: Duties of drivers of designated wheelchair accessible vehicles

1.25 The driver MUST, at all times when working as a hackney carriage and private hire driver and driving a designated wheelchair accessible vehicle:

- Carry the passenger while in the wheelchair.
- Ensure that the wheelchair is positioned in such a way so that the wheelchair user is facing towards the front or rear of the vehicle.
- Carry the passenger's wheelchair if the wheelchair user chooses to sit in a passenger seat during the journey.
- If the passenger has with them any mobility aids, to carry the mobility aids.
- Take such steps as are necessary to ensure that the wheelchair user is carried in safe and reasonable comfort.
- Provide reasonable levels of mobility assistance to the wheelchair user, which includes but is not restricted to enabling the passenger to get into or out of the vehicle.

If the passenger wishes to remain in the wheelchair to enable the passenger to get into and out of the vehicle while in the wheelchair, to load the passenger's luggage or mobility aids into or out of the vehicle and if the passenger does not wish to remain in the wheelchair, to load the wheelchair into or out of the vehicle.

1.26 The driver MUST NOT, at all times when working as a hackney carriage and private hire driver and driving a designated wheelchair accessible vehicle:

- Make, or propose to make, any additional charge for complying with a duty listed in condition 1.25 above
- Refuse hires from wheelchair users unless it would not be possible or reasonable for the wheelchair or mobility aids to be carried safely in the vehicle

Animals

1.27 When driving a hackney carriage or private hire vehicle, a driver must not carry any animal belonging to them, the proprietor or operator of the vehicle or in their custody whilst fare paying passengers are being conveyed in the vehicle.

1.28 In general the transportation of animals belonging to or in the custody of any fare paying passengers is permitted at the discretion of the vehicle owner/company and if undertaken must be in the rear of the vehicle in the foot well or floor pan of the vehicle.

1.29 However, all types of assistance dogs, including trainee assistance dogs, MUST be transported when requested by a passenger (unless the driver holds a medical exemption). Drivers MUST NOT impose a charge for carrying assistance dogs. Assistance dogs may be permitted to travel in the front of the vehicle.

Medical requirements

1.30 Drivers must undertake a medical examination and provide a satisfactory medical report and certificate, in accordance with the requirements of the Hackney Carriage and Private Hire Licensing Policy 2023-2027, every 5 years from the age of 45 or sooner if stipulated by the examining doctor or required by an officer with delegated authority or Licensing and Safety Sub-committee.

1.31 Drivers over the age of 65 or who attain the age of 65 during a licensed period must undertake a medical examination and provide a satisfactory medical report and certificate annually or sooner if stipulated by the examining doctor or required by an officer with delegated authority or Licensing and Safety Sub-committee.

1.32 Drivers who have a condition identified within the DVLA publication 'Assessing fitness to drive – a guide for medical professionals' as requiring an annual review, are required to provide a satisfactory medical report and certificate on an annual basis.

1.33 If a driver's medical circumstances change during the currency of the licence, the driver must inform the Council within 7 days. The Council may require the driver to immediately undertake a further medical examination and provide an approved medical report and certificate confirming the outcome of this examination and the driver's fitness (or otherwise) to continue as a licensed driver.

1.34 Where a driver has any indications of alcohol or drug abuse, misuse or dependency, the Council may require the driver to immediately undertake a further medical examination, medical testing or assessment, at the driver's expense.

Medical exemption

1.35 Where a driver is exempt on medical grounds from the mobility assistance duties under Section 164A and 165 of the Equality Act 2010, or from the duties on drivers of a taxi or private hire vehicle to carry assistance dogs, the Council issued medical exemption certificate confirming the exemption must be securely fixed in the front windscreen on the passenger side of the vehicle which does not interfere with the drivers view of the road or on the partition for purpose-built vehicles where a partition is fitted. Failure to display the Council issued medical exemption certificate in the prescribed manner is an offence under the Equality Act 2010.

1.36 The driver must notify their operator of the medical exemption certificate.

Change of particulars

1.37 The driver must notify the Council, in writing, of any change of private hire operator/employer. Any such change must be notified within 72 hours.

1.38 The driver must notify the Council, in writing, of any change of particulars which may occur during the currency of their licence, including any change of address, change of phone number or change of email address. Any such change must be notified within 7 days.

1.39 Where a change of address occurs, the driver must amend the address on their driving licence and produce their driving licence showing the new address to the Council within 7 days of receipt from the issuing body, e.g. DVLA. The photo card licence and/or where applicable the paper counterpart licence must be produced. For those driving licences where the paper counterpart is not issued by the DVLA, the photo card must be provided, and the Council will undertake the necessary additional on-line check.

Passengers

1.40 The driver must not convey or permit to be conveyed in a private hire vehicle a greater number of passengers than the number prescribed in the vehicle licence.

1.41 The driver of the licensed vehicle must only carry one person in the front of the vehicle beside the driver unless the vehicle has been specifically designed to carry more.

Transporting children

1.42 Drivers must inform parents/carers that the decision to permit children to travel in the vehicle, without the correctly sized seat restraints (as permitted by relevant legislation) and with the obvious risks associated with such an action, remains with the parent/carer responsible for the children and not with the driver of the vehicle (See 3a.112 of Shropshire Council's Hackney Carriage and Private Hire Licensing Policy 2027-2031 for details).

Lost property

1.43 After fare paying passengers have alighted from the licensed vehicle, the driver must, as soon as is practicable, search the vehicle for any property which may have been left.

1.44 Where such property is found and irrespective of the value, the driver must, if it has not been claimed by or on behalf of the passenger (or their representative) who left it within 24

hours, hand it, in the case of a private hire driver, to their operator in accordance with the operators lost property policy.

Parking between bookings

1.45 Drivers of private hire vehicles in the Council's area must, as soon as they have dropped passengers at their required destination and unless prevented from doing so by another booking, return to a suitably safe place to park that is not in the vicinity of public houses, nightclubs, restaurants, cafes and similar establishments and that is not in contravention of road traffic legislation, traffic regulation orders and not likely to cause nuisance to others.

Meters

1.46 Where taximeters are fitted to vehicles, the driver must not cause the fare recorded thereon to be cancelled or concealed until the hirer has had an opportunity to examine the meter and has paid the fare (or credit has been given).

1.47 The driver must ensure:

- The meter is sufficiently illuminated so that when it is in use it is visible to all passenger
- The meter is used for the whole of any journey, regardless of whether or not a fare is agreed prior to the commencement of the journey
- The fare or charge is calculated from the point at which the hirer commences the journey and does not exceed that displayed on the meter on the completion of such journey. A journey commences when all passengers and luggage are secured within the vehicle and the vehicle is ready to move off unless otherwise agreed by a private hire operator and the journey fulfilled by a private hire vehicle
- That the meter must not be left running whilst the driver performs duties under the Equality Act 2010, e.g., when a passenger enters, leaves or secures their wheelchair within the passenger compartment
- The meter is only brought into action at the commencement of the hirer's journey
- The correct tariff for that journey is displayed

Fares

1.48 The driver must not demand from the hirer a fare in excess of any fare previously agreed between the operator and the hirer, or if the vehicle is fitted with a taximeter and no previous agreement as to the fare, the fare shown on the face of the taximeter.

1.49 The driver must, if requested by a fare paying passenger, provide a written receipt for any fare paid. The receipt should include as a minimum, the driver's name or licence number, the vehicle registration number or licence number, the date and time of the journey, the fare paid, and were relevant, the name of the private hire operator who accepted the booking.

1.50 The driver must, if requested by a fare paying passenger, support the passenger to use a card reader or to count their change.

Identification plates

1.51 Drivers must not cause or suffer any vehicle plate to be concealed from public view whilst the vehicle is licensed.

Condition of vehicle

1.52 A driver must, before taking charge of the vehicle, undertake a walkaround check as prescribed by the Council. The walkaround check must be recorded and produced to an authorised officer on request. Records must be kept for a minimum period of not less than 6 months.

1.53 A driver must not drive a licensed vehicle if he has reason to believe that the vehicle is in an unsafe, dangerous or illegal condition, or does not meet all the requirements of the walkaround check.

1.54 The driver must immediately inform the operator or proprietor of the vehicle of any defect arising in the vehicle whilst under his control.

Accidents

1.55 The driver must, notwithstanding their responsibilities under relevant road traffic legislation, report to the Council and operator or proprietor any accident involving a hackney carriage or private hire vehicle under their control as soon as is practicable and provide photographic evidence of the damage when requested by the Council. However, where the vehicle has suffered accident damage that materially affects the performance or appearance of the vehicle, or the comfort or convenience of fare paying passengers, the driver must notify the Council and operator or proprietor within 72 hours.

1.56 The driver must report to the Council any accident or injuries suffered by a passenger as a result of any part of a journey, including any accident or injuries that are sustained whilst entering or alighting the vehicle, in writing within 24 hours.

Complaints

1.57 Where a passenger has cause to complain to a driver about any aspect of the service provided, a driver is encouraged to advise the passenger of their right to make a complaint to the relevant private hire operator and must make it clear to the passenger that they may also refer any complaint direct to the Council.

Other legislative requirements

1.58 It is the driver's responsibility to make sure they comply with the Road Traffic Act 1988 and all other road traffic legislation, e.g., the Highway Code, parking restrictions and traffic regulation orders, as this is not addressed by the Policy and associated conditions.

APPENDIX C

HACKNEY CARRIAGE LICENCE

CONDITIONS OF LICENCE

HACKNEY CARRIAGE VEHICLE LICENCE - CONDITIONS OF LICENCE

General

1.0 Additional information regarding all aspects of hackney carriage licensing is available in the Council's Hackney Carriage and Private Hire Licensing Policy. The Policy must be in read in conjunction with the specific conditions set out below. Any legal requirements that apply to the operation of a hackney carriage licence are regarded as if they are conditions of the licence, whether specifically listed or referred to below or in the policy or not. Where reference is made to legal requirements either in the conditions below or in the Council's policy, proprietors are advised that such references are not exhaustive and it is the proprietor's responsibility to ensure they are fully aware of all relevant legal requirements with which they must comply.

Fit and proper person

1.1 Throughout the currency of the licence, the proprietor must be a fit and proper person to hold the licence. In this respect, the proprietor must have due regard to the relevant provisions of the Council's policy, be aware of the checks that will be undertaken by the Council and act in accordance with the responsibilities that being a fit and proper person would reasonably place on a proprietor.

Convictions

1.2 The proprietor or where the proprietor is a partnership or a company, all partners or directors/company secretaries, as appropriate, during the currency of the licence must, within 48 hours, disclose to the Council, in writing, if:

- They are interviewed under caution or attend a voluntary interview
- They receive any warnings, cautions, community resolutions, non-molestation orders, child abduction warning notices, domestic violence prevention orders, anti-social behaviour orders, immigration penalties, fixed penalties or driving endorsements (driving convictions), including any from outside the UK
- They are arrested, including any arrest from outside the UK (whether or not charged with an offence)
- They are charged with any criminal offence, including any from outside the UK (includes driving/motoring offences)
- They receive bail conditions or bail extensions. A copy of the bail notice must be provided to the Council
- They are summonsed to court for any criminal offence, including any from outside the UK (includes driving/motoring offences)
- They are convicted of any criminal offence, including any conviction from outside the UK (includes driving/motoring offences)
- Any allegations are made of their involvement in criminal activity, including any from outside the UK
- The licensed vehicle is seized by the police or another authorised officer
- A licence issued by DVLA on behalf of the Office of the Traffic Commissioner, i.e., Passenger Carrying Vehicle (PCV) licence, Public Service Vehicle (PSV), is suspended or revoked or if they receive a written warning
- A licence issued by another Local Authority is suspended or revoked or if they receive a written warning

Drivers who may lawfully drive a hackney carriage

1.3 The proprietor of a licensed hackney carriage must ensure that only drivers licensed by the Council are permitted to drive the vehicle.

Test requirements

1.4 All vehicles must meet the Council's safety and fitness test requirements. Where a vehicle is the subject of any test during the application process or during the currency of any licence and it is determined that the vehicle is not fit for the purpose of conveying passengers the proprietor must notify the Council as soon as is reasonably practicable, and in any case within 72 hours of the occurrence.

LPG converted vehicles

1.5 The proprietor must notify the Council within 7 days of any LPG conversion.

1.6 The proprietor must provide a copy of the amended V5 registration certificate to the Council within 7 days of the certificate being received.

External vehicle licence plates

1.7 The external licence plates (front and rear) identifying the vehicle as a hackney carriage as issued by the Council and required to be exhibited on the vehicle pursuant to Section 47 of the Local Government (Miscellaneous Provisions) Act 1976 must be:

- Securely fixed to the outside front and rear of the vehicle in a conspicuous position
- Maintained, kept clean and in such a condition that the information on the plates is clearly visible to the public at all times
- Displayed at all times and in such a manner as to be easily removable by an authorised officer of the Council or a police officer

1.8 **AND** at no time, during the currency of the vehicle licence, is it permitted for the licence plates to be removed from the licensed vehicle.

1.9 In the event that a licence plate is lost it is the responsibility of the proprietor of the vehicle to notify the Council within 72 hours and to obtain a replacement plate (at the proprietor's cost).

1.10 The external licence plates (front and rear) must be returned to the Council within 7 days of revocation or expiry of the vehicle's licence; where the licence is suspended, be returned if required.

1.11 Any existing licence plates must be returned to the Council before new licence plates for a vehicle will be issued; this includes transfers.

1.12 In addition, a proprietor must not sell, transfer or otherwise dispose of the vehicle plates separately from the vehicle in respect of which they have been issued, nor permit such plates to be sold transferred or otherwise disposed of by anyone else.

External markings

1.13 Where applicable, the proprietor must clearly display and maintain on the exterior of the vehicle, in such a position as to be clearly visible at all times a sign confirming that the taxi is wheelchair accessible (the relevant nationally recognised symbol) and caters for the needs of the disabled.

Internal signage

1.14 The internal plate must be securely fixed in the front windscreen on the passenger side of the vehicle which does not interfere with the drivers view of the road or on the partition for purpose-built vehicles where a partition is fitted.

1.15 Where applicable, the Council issued medical exception notice must be securely fixed in the front windscreen on the passenger side of the vehicle which does not interfere with the drivers view of the road.

1.16 In the event that the internal signage is lost it is the responsibility of the proprietor of the vehicle to notify the Council within 72 hours and to obtain a replacement (at the proprietor's cost).

1.17 The internal signage must be returned to the Council within 7 days of revocation or expiry of the vehicle's licence; where the licence is suspended, be returned if required.

Interior markings

1.18 The proprietor must clearly display and maintain inside the vehicle, in such a position as to be clearly visible to passengers inside the vehicle at all times:

- The maximum number of persons licensed to be conveyed therein
- The hackney carriage licence number
- Contact details for reporting complaints/compliments to the Council
- A 'No Smoking' sign

Other requirements

1.19 The proprietor MUST at all times:

- Ensure that the vehicle is not used for illegal or illicit purposes
- Ensure that the vehicle is maintained in a sound mechanical and structural condition
- Ensure that no items are hung from or attached to the rear-view mirror
- Ensure that the vehicle is not fitted with 3D, 4D, ghost or sticker vehicle registration plates
- Ensure that the vehicle is maintained in a clean and safe condition from both exterior and interior perspectives
- Ensure that all drivers who drive a wheelchair accessible vehicle have satisfactorily completed training on how to safely restrain a wheelchair user

Use of information on, in and from a hackney carriage

1.20 Proprietors must obtain approval from the Council prior to displaying any information, advertisements, images or other material on, in or from their hackney carriage.

1.21 Materials that are used to display any information, advertisements, images or other material must be of a quality not easily defaced, soiled or detached.

1.22 Reflective material must not be used.

1.23 Signs used to display any information, advertisements, images or other material must not be illuminated.

1.24 Information, advertisements, images or other material may be affixed directly onto the exterior and/or internal body of the vehicle and must be in such a position as not to obscure Council issued plates and all other required signs.

1.25 Information, advertisements, images or other material must comply with the relevant requirements as set out in **Appendix L** of the Council's Policy.

1.26 Proprietors must not permit any vehicle to be advertised as an 'executive vehicle' or 'executive travel' unless the vehicle is licensed as an executive private hire vehicle by the Council.

Closed circuit television (CCTV)

1.27 Proprietors wishing to install closed circuit television (CCTV) in their hackney carriage must notify the Council, in writing, of their intention to do so.

1.28 The CCTV system must be installed in accordance with the appropriate legal framework.

1.29 Where CCTV is fitted, proprietors must maintain a valid registration with the Information Commissioners Office (ICO) throughout the duration of the licence or until such a time as the CCTV has been removed from the licensed vehicle.

1.30 Where a CCTV system is removed from a licensed vehicle, proprietors must notify the Council, in writing, within 7 days.

Trailers

1.31 Proprietors must ensure any trailer:

- Is inspected annually with the vehicle to which it relates
- Has a plate that relates to the towing vehicle(s)
- Complies with conditions applicable to the use of trailers set out in **Appendix M** of the Council's Policy

Ranks and order of working

1.32 Hackney carriage proprietors must take steps to actively encourage drivers on arriving at a rank/stand not already fully occupied by other hackney carriages:

- To park the vehicle immediately behind the vehicle(s) on the stand so as to face in the same direction
- When the vehicle(s) immediately in front are driven off or move forward must cause the vehicle to be moved forward so as to fill the place previously occupied by the vehicle that has driven off or moved forward
- Where the rank/stand is fully occupied at the time the driver arrives, the driver must proceed to an alternative rank/stand

Taximeters

1.33 When the machinery of the taximeter is in action there must be recorded on the face of the taximeter in figures clearly legible and free from ambiguity, a fare not exceeding the rate of fare which the proprietor or driver is entitled to demand and take for the hire of the vehicle by distance.

1.34 The taximeter must be so placed that all the letters and figures on the face thereof shall be at all times plainly visible to any person being conveyed in the vehicle and for that purpose the letters and figures must be capable of being illuminated during any period of hiring.

1.35 The taximeter must be set to reflect the current table of fares approved by the Council, or to an alternative table of fares that is in all cases lower than the Council approved table. Where the meter is set to an alternative table that table must be prominently displayed in addition to the approved table. A lesser fare than that shown on the taximeter at the end of a journey may be charged.

1.36 Proprietors must ensure that, when hired, a taximeter is used for the whole of any journey commencing within the administrative area of Shropshire Council.

1.37 Proprietors must ensure that, when undertaking a pre-booked fare, a taximeter is used for the whole of any journey commencing within the administrative area of Shropshire Council. The driver must not demand from the hirer a fare in excess of the fare shown on the face of the taximeter.

Roof signs

1.38 All vehicles are required to display a white roof sign bearing the words TAXI (no other words, letters or numbering are permitted) on the front and rear in uppercase black lettering of a minimum height of 79mm, width 50mm, stroke width 14mm and spacing between lettering of 11mm. The light in the sign must be connected to the meter switch such that the light is switched on when the hackney carriage is available for hire and switched off when the hackney carriage is not available for hire. The sign must be permanently mounted on the roof of the vehicle except in respect of purpose-built taxis.

Change of particulars

1.39 The proprietor of a licensed hackney carriage must notify the Council, in writing, of any change of particulars which may occur during the currency of their licence, including any change of address, change of phone number or change of email address, within 7 days of such a change taking place.

1.40 A proprietor must notify the Council, in writing, of any change of partners, directors/company secretaries which may occur during the currency of their licence. Any such change must be notified within 7 days.

1.41 Where a new partner or director is proposed, the new partner or director must provide a basic criminal record disclosure from the Disclosure and Barring Service, unless the partner or director is the holder of a hackney carriage and private hire drivers licence or private hire operator licence issued by Shropshire Council (applicants can apply to https://www.gov.uk/request-copy-criminal-record). A basic criminal record disclosure will only be accepted by the Council within three months of the date of issue from the Disclosure and Barring Service.

1.42 Where the licence is held in the name of a limited company, a proprietor must notify the Council, in writing, of any change to its office address registered with Companies House

which may occur during the currency of their licence. Any such change must be notified within 7 days.

1.43 Where the licence is held in the name of a limited company, a proprietor must notify the Council, in writing, when the limited company is dissolved with Companies House. Any such change must be notified within 7 days.

1.44 Where the licence is held in the name of a limited company, a proprietor must notify the Council, in writing, of any change to the trading name as listed on the hackney carriage licence which may occur during the currency of their licence. Any such change must be notified within 7 days.

MOT

1.45 The vehicle must have a valid MOT throughout the licence period.

1.46 Vehicles must be submitted for an MOT inspection an accordance with the following:

- Vehicles, up to 9 years from date of first registration, must be submitted for an MOT inspection at 6-monthly intervals.
- Vehicles 9 years of age or older from date of first registration, in addition to the MOT certificate submitted with an application, must have two additional MOT tests per year; tests being spaced evenly throughout the year at four monthly intervals.

1.47 A copy of the MOT certificate must be submitted to the Licensing Team within 10 working days of the date of issue from the MOT testing centre.

MOT failures, advisories and manufacturer recalls

1.48 Where a vehicle has failed an MOT under the category dangerous (do not drive until repaired) defects, the proprietor of a licensed hackney carriage must ensure that the vehicle is not used as a hackney carriage until the repairs have been undertaken and a new MOT pass certificate issued.

1.49 Where a vehicle fails an MOT under the category major (repair immediately) defects, the proprietor of a licensed hackney carriage must ensure that the vehicle is not used as a hackney carriage until the repairs have been undertaken and a new MOT pass certificate issued.

1.50 The proprietor of a licensed hackney carriage must, when requested by the Council, rectify any items listed on an MOT certificate under minor or advisory information, or as an outstanding recall, and provide evidence that the work has been completed to the Council within a specified time.

Insurance

1.51 Satisfactory evidence must be produced that there is in force, for the use of the vehicle, a policy of insurance covering the carriage of passengers for hire or reward or such security as complies with the requirements of Part VI of the Road Traffic Act 1988 throughout the licence period.

1.52 The proprietor must ensure that at all times a list is maintained of all licensed drivers authorised under the policy to drive the vehicle and must make such a list available to an

authorised officer of the Council or a police officer at all reasonable times, when so required.

1.53 Proprietors must ensure that where a vehicle is insured by a proprietor and the proprietor allows another licensed Shropshire Council driver to drive their vehicle, or the vehicle is covered under a fleet insurance policy, drivers are aware of the content of the insurance policy, including its limitations and exclusions. The proprietor must keep a record, signed by the driver, when this has been completed.

Smoking

1.54 The proprietor of a hackney carriage must not permit the driver and passengers to smoke in the licensed vehicle (this includes electronic cigarettes and vaping).

Vehicle Excise Duty (Road Tax)

1.55 The vehicle must have valid Road Tax throughout the currency of the licence.

Fare card

1.56 A copy of the Council's current table of fares must be kept, maintained and clearly displayed in the vehicle at all times in the location provided by the manufacturers of the vehicle or in accordance with any instructions given by an authorised officer.

Lost Property

1.57 Proprietors must keep and maintain a record of all lost property detailing the date and time, the item found, the vehicle details and action taken to return the item to the rightful owner, to the police or disposal.

1.58 Where proprietors have received property belonging to passengers or where a proprietor finds such property themselves, a proprietor must take the necessary steps to establish the identity of the owner of the property. If, however, the proprietor is not able to establish the identity of the owner, any property of high value or that contains a serial number should be handed into the police.

Alterations to vehicles

1.59 No material alteration or change in the mechanical or structural specification, design, condition or appearance of the vehicle is permitted without the prior approval of the Council, this includes but is not restricted to bull bars, running boards, side steps, side bars, LPG conversations and other similar alterations and changes.

1.60 The Council will not permit any form of additional film or stickers to be affixed to the glass on any part of the vehicle unless it is Council specified signage (internal plates, 'vehicle copy' of driver badge, compliments sticker, no smoking sign).

Damage to vehicles

1.61 Notification must be given by the proprietor to the Council as soon as reasonably practicable on the Council's accident report form and in any case within 72 hours of the occurrence of any accident/damage to the vehicle that materially affects the safety, performance or appearance of the vehicle, or the comfort or convenience of persons

carried therein and provide photographic evidence of the damage when requested by the Council.

1.62 Where a proprietor has notified the Council that a licensed vehicle has sustained structural damage from a road traffic accident resulting in a DVLA classification under Category S – Structural damage (vehicle that has sustained damage after 1 October 2017) or Category C (vehicle has sustained damage, rendering it beyond economical repair, prior to 1 October 2017), the vehicle must be submitted for a basic voluntary IVA inspection and a valid IVA certificate provided to the Licensing Team before the vehicle is permitted to be used as a hackney carriage.

Production of records/documents

1.63 All original supporting documentation provided upon application must be retained for the duration of the licence period and must be produced, on request, to any authorised officer of the Council or to any police officer.

Inspection/examination

1.64 The proprietor must permit any authorised officer of the Council or any police officer, at all reasonable times, to inspect and examine the vehicle and to request driver identification and insurance details. A driver badge must be produced to an officer of the Council or any police officer during the inspection/examination. A driver's identification, certificate of insurance and MOT must be produced either during the inspection/examination to any authorised officer of the Council or any police officer or within 7 days to any authorised officer of the Council or any police officer.

APPENDIX D

STANDARD PRIVATE HIRE VEHICLE LICENCE

CONDITIONS OF LICENCE

STANDARD PRIVATE HIRE VEHICLE LICENCE - CONDITIONS OF LICENCE

General

1.0 Additional information regarding all aspects of private hire licensing is available in the Council's Hackney Carriage and Private Hire Licensing Policy and this must be read in conjunction with the specific conditions set out below. Any legal requirements that apply to the operation of a private hire licence are regarded as if they are conditions of the licence, whether specifically listed below or in the policy or not. Where reference is made to legal requirements either in the conditions below or in the Council's policy, proprietors are advised that such references are not exhaustive and it is the proprietor's responsibility to ensure they are fully aware of all relevant legal requirements with which they must comply.

Fit and proper person

1.1 Throughout the currency of the licence, the proprietor must be a fit and proper person to hold the licence. In this respect, the proprietor must have due regard to the relevant provisions of the Council's policy, be aware of the checks that will be undertaken by the Council and act in accordance with the responsibilities that being a fit and proper person would reasonably place on a proprietor.

Convictions

1.2 The proprietor or where the proprietor is a partnership or a company, all partners or directors/company secretaries, as appropriate, during the currency of the licence must, within 48 hours, disclose to the Council, in writing, if:

- They are interviewed under caution or attend a voluntary interview
- They receive any warnings, cautions, community resolutions, non-molestation orders, child abduction warning notices, domestic violence prevention orders, anti-social behaviour orders, immigration penalties, fixed penalties or driving endorsements (driving convictions), including any from outside the UK
- They are arrested, including any arrest from outside the UK (whether or not charged with an offence)
- They are charged with any criminal offence, including any from outside the UK (includes driving/motoring offences)
- They receive bail conditions or bail extensions. A copy of the bail notice must be provided to the Council
- They are summonsed to court for any criminal offence, including any from outside the UK (includes driving/motoring offences)
- They are convicted of any criminal offence, including any conviction from outside the UK (includes driving/motoring offences)
- Any allegations are made of their involvement in criminal activity, including any from outside the UK
- The licensed vehicle is seized by the police or another authorised officer
- A licence issued by DVLA on behalf of the Office of the Traffic Commissioner, i.e., Passenger Carrying Vehicle (PCV) licence, Public Service Vehicle (PSV), is suspended or revoked or if they receive a written warning
- A licence issued by another Local Authority is suspended or revoked or if they receive a written warning

Drivers who may lawfully drive a private hire vehicle

1.3 The proprietor of a licensed private hire vehicle must ensure that only drivers licensed by the Council are permitted to drive the vehicle.

Test requirements

1.4 All vehicles must meet the Council's safety and fitness test requirements. Where a vehicle is the subject of any test during the application process or during the currency of any licence and it is determined that the vehicle is not fit for the purpose of conveying passengers the proprietor must notify the Council as soon as is reasonably practicable, and in any case within 72 hours of the occurrence.

LPG converted vehicles

1.5 The proprietor must notify the Council within 7 days of any LPG conversion.

1.6 The proprietor must provide a copy of the amended V5 registration certificate to the Council within 7 days of the certificate being received.

External vehicle licence plates

1.7 The external licence plates (front and rear) identifying the vehicle as a private hire vehicle as issued by the Council and required to be exhibited on the vehicle pursuant to Section 48 of the Local Government (Miscellaneous Provisions) Act 1976 must be:

- Securely fixed to the outside front and rear of the vehicle in a conspicuous position
- Maintained, kept clean and in such a condition that the information on the plates is clearly visible to the public at all times
- Displayed at all times and in such a manner as to be easily removable by an authorised officer of the Council or a police officer

1.8 **AND** at no time, during the currency of the vehicle licence, is it permitted for the licence plates to be removed from the licensed vehicle.

1.9 In the event that a licence plate is lost it is the responsibility of the proprietor of the vehicle to notify the Council within 72 hours and to obtain a replacement plate (at the proprietor's cost).

1.10 The external licence plates (front and rear) must be returned to the Council within 7 days of revocation or expiry of the vehicle's licence; where the licence is suspended, be returned if required.

1.11 Any existing licence plates must be returned to the Council before new licence plates for a vehicle will be issued; this includes transfers.

1.12 In addition, a proprietor must not sell, transfer or otherwise dispose of the vehicle plates separately from the vehicle in respect of which they have been issued, nor permit such plates to be sold transferred or otherwise disposed of by anyone else.

External markings

1.13 Where applicable, the proprietor must clearly display and maintain on the exterior of the vehicle, in such a position as to be clearly visible at all times, a sign confirming that the private hire vehicle is wheelchair accessible (the relevant nationally recognised symbol) and caters for the needs of the disabled.

Signs

1.14 Private hire vehicles must not display a roof sign.

1.15 All vehicles must display Council issued signs (side plates) on the upper portion of the front driver door and the front passenger door of the vehicle using the adhesive backed signs provided. The signs must be kept intact, clean and firmly attached to the vehicle doors as described above. The use of magnetic panels is prohibited. The removal of the signs is prohibited whilst the vehicle is licensed by Shropshire Council. In the event that a side plate is lost it is the responsibility of the proprietor of the vehicle to notify the Council within 72 hours and to obtain a replacement side plate (at the proprietor's cost).

1.16 The side plates must be returned to the Council within 7 days of revocation or expiry of the vehicle's licence; where the licence is suspended, be returned if required.

Internal signage

1.17 The internal plate must be securely fixed in the front windscreen on the passenger side of the vehicle which does not interfere with the drivers view of the road or on the partition for purpose-built vehicles where a partition is fitted.

1.18 Where applicable, the Council issued medical exception notice must be securely fixed in the front windscreen on the passenger side of the vehicle which does not interfere with the drivers view of the road.

1.19 In the event that the internal signage is lost it is the responsibility of the proprietor of the vehicle to notify the Council within 72 hours and to obtain a replacement (at the proprietor's cost).

1.20 The internal signage must be returned to the Council within 7 days of revocation or expiry of the vehicle's licence; where the licence is suspended, be returned if required.

Interior markings

1.21 The proprietor must clearly mark and maintain inside the vehicle, in such a position as to be clearly visible to passengers inside the vehicle at all times:

- The maximum number of persons licensed to be conveyed therein
- The private hire vehicle licence number
- Contact details for reporting complaints/compliments to the Council
- A 'No Smoking' sign

1.22 In addition, if a proprietor wishes to operate a pre-payment system, signs indicating the period and under what circumstances this is applicable are permitted, e.g., pre-payment required between the hours of 1900 to 0700. This does not mean such signs or pre-payment between these hours is compulsory; the condition simply permits a sign to be displayed should a proprietor wish to operate a pre-payment system.

Other requirements

1.23 The proprietor MUST at all times:

- Ensure that the vehicle is not used for illegal or illicit purposes
- Ensure that the vehicle is maintained in a sound mechanical and structural condition
- Ensure that no items are hung from or attached to the rear-view mirror
- Ensure that the vehicle is not fitted with 3D, 4D, ghost or sticker vehicle registration plates
- Ensure that the vehicle is maintained in a clean and safe condition from both exterior and interior perspectives
- Ensure that all drivers who drive a wheelchair accessible vehicle have satisfactorily completed training on how to safely restrain a wheelchair user

Use of information on, in and from a private hire vehicles

1.24 Proprietors must obtain approval from the Council prior to displaying any information, advertisements, images or other material on their private hire vehicle.

1.25 Materials that are used to display any information, advertisements, images or other material must be of a quality not easily defaced, soiled or detached.

1.26 Reflective material must not be used.

1.27 Signs used to display any information, advertisements, images or other material must not be illuminated.

1.28 Information, advertisements, images or other material may be affixed directly onto the exterior and/or internal body of the vehicle and must be in such a position as not to obscure Council issued plates and all other required signs.

1.29 Information, advertisements, images or other material must comply with the relevant requirements as set out in **Appendix L** of the Council's Policy.

1.30 Private hire vehicles are prohibited from displaying the words 'taxi' or 'cab' in the singular or plural or the word 'hire' unless the word 'hire' forms part of the relevant company name or any word or similar meaning (e.g., 'kab') or appearance to any of these words, whether alone or as part of another word.

1.31 Proprietors must not permit any vehicle to be advertised as an 'executive vehicle' or 'executive travel' unless the vehicle is licensed as an executive private hire vehicle by the Council.

Closed circuit television (CCTV)

1.32 Proprietors wishing to install closed circuit television (CCTV) in their private hire vehicle, must notify the Council, in writing, of their intention to do so.

1.33 The CCTV system must be installed in accordance with the appropriate legal framework.

1.34 Where CCTV is fitted, proprietors must maintain a valid registration with the Information Commissioners Office (ICO) throughout the duration of the licence or until such a time as the CCTV has been removed from the licensed vehicle.

1.35 Where a CCTV system is removed from a licensed vehicle, proprietors must notify the Council, in writing, within 7 days.

Trailers

1.36 Proprietors must ensure any trailer:

- Is inspected annually with the vehicle to which it relates
- Has a plate that relates to the towing vehicle(s)
- Complies with conditions applicable to the use of trailers set out in **Appendix M** of the Council's Policy

Meters

1.37 Whilst the fitting of meters is not mandatory in private hire vehicles, if meters are fitted, then the following conditions apply:

- When the machinery of the meter is in action there must be recorded on the face of the meter in figures clearly legible and free from ambiguity, a fare not exceeding the rate of fare which the proprietor or driver is entitled to demand and take for the hire of the vehicle by distance.
- The meter must be so placed that all the letters and figures on the face thereof shall be at all times plainly visible to any person being conveyed in the vehicle and for that purpose the letters and figures must be capable of being illuminated during any period of hiring.
- The meter must be set to reflect the current private hire operator's tariff.
- Where there is a change to the private hire operator's tariff the meter must be re-calibrated to the new tariff and the meter checked against a measured distance before the vehicle can recommence private hire work.
- The proprietor of the vehicle must provide a valid certificate/report of compliance to the Council within 72 hours of the new private hire operator's tariff coming into effect, confirming the date the meter was calibrated to the new tariff.

Change of particulars

1.38 The proprietor of a licensed private hire vehicle must notify the Council, in writing, of any change of particulars which may occur during the currency of their licence, including any change of address, change of phone number or change of email address, within 7 days of such a change taking place.

1.39 A proprietor must notify the Council, in writing, of any change of partners, directors/company secretaries which may occur during the currency of their licence. Any such change must be notified within 7 days.

1.40 Where a new partner or director is proposed, the new partner or director must provide a basic criminal record disclosure from the Disclosure and Barring Service, unless the partner or director is the holder of a hackney carriage and private hire drivers licence or private hire operator licence issued by Shropshire Council (applicants can apply to https://www.gov.uk/request-copy-criminal-record). A basic criminal record disclosure will only be accepted by the Council within three months of the date of issue from the Disclosure and Barring Service.

1.41 Where the licence is held in the name of a limited company, a proprietor must notify the Council, in writing, of any change to its office address registered with Companies House

which may occur during the currency of their licence. Any such change must be notified within 7 days.

1.42 Where the licence is held in the name of a limited company, a proprietor must notify the Council, in writing, when the limited company is dissolved with Companies House. Any such change must be notified within 7 days.

1.43 Where the licence is held in the name of a limited company, a proprietor must notify the Council, in writing, of any change to the trading name as listed on the hackney carriage licence which may occur during the currency of their licence. Any such change must be notified within 7 days.

MOT

1.44 The vehicle must have a valid MOT throughout the licence period.

1.45 Vehicles must be submitted for an MOT inspection an accordance with the following:

- Vehicles, up to 9 years from date of first registration, must be submitted for an MOT inspection at 6-monthly intervals.
- Vehicles 9 years of age or older from date of first registration, in addition to the MOT certificate submitted with an application, must have two additional MOT tests per year; tests being spaced evenly throughout the year at four monthly intervals.

1.46 A copy of the MOT certificate must be submitted to the Licensing Team within 10 working days of the date of issue from the MOT testing centre.

MOT failures, advisories and manufacturer recalls

1.47 Where a vehicle has failed an MOT under the category dangerous (do not drive until repaired) defects, the proprietor of a licensed private hire vehicle must ensure that the vehicle is not used as a private hire vehicle until the repairs have been undertaken and a new MOT pass certificate issued.

1.48 Where a vehicle fails an MOT under the category major (repair immediately) defects, the proprietor of a licensed private hire vehicle must ensure that the vehicle is not used as a private hire vehicle until the repairs have been undertaken and a new MOT pass certificate issued.

1.49 The proprietor of a licensed private hire vehicle must, when requested by the Council, rectify any items listed on an MOT certificate under minor or advisory information, or as an outstanding recall, and provide evidence that the work has been completed to the Council within a specified time.

Insurance

1.50 Satisfactory evidence must be produced that there is in force, for the use of the vehicle, a policy of insurance covering the carriage of passengers for hire or reward by pre-booking only or such security as complies with the requirements of Part VI of the Road Traffic Act 1988 throughout the licence period.

1.51 The proprietor must ensure that at all times a list is maintained of all licensed drivers authorised under the policy to drive the vehicle and must make such a list available to an

authorised officer of the Council or a police officer at all reasonable times, when so required.

1.52 Proprietors must ensure that where a vehicle is insured by a proprietor and the proprietor allows another licensed Shropshire Council driver to drive their vehicle, or the vehicle is covered under a fleet insurance policy, drivers are aware of the content of the policy, including its limitations and exclusions. The proprietor must keep a record, signed by the driver, when this has been completed.

Smoking

1.53 The proprietor of a private hire vehicle must not permit the driver and passengers to smoke in the licensed vehicle (this includes electronic cigarettes).

Vehicle Excise Duty (Road Tax)

1.54 The vehicle must have valid Road Tax throughout the currency of the licence.

Alterations to vehicles

1.55 No material alteration or change in the mechanical or structural specification, design, condition or appearance of the vehicle is permitted without the prior approval of the Council, this includes but is not restricted to bull bars, running boards, side steps, side bars, LPG conversations and other similar alterations and changes.

1.56 The Council will not permit any form of additional film or stickers to be affixed to the glass on any part of the vehicle unless it is Council specified signage (internal plates, 'vehicle copy' of driver badge, compliments sticker, no smoking sign).

Damage to vehicles

1.57 Notification must be given by the proprietor to the Council as soon as reasonably practicable on the Council's accident report form and in any case within 72 hours of the occurrence of any accident/damage to the vehicle that materially affects the safety, performance or appearance of the vehicle, or the comfort or convenience of persons carried therein and provide photographic evidence of the damage when requested by the Council.

1.58 Where a proprietor has notified the Council that a licensed vehicle has sustained structural damage from a road traffic accident resulting in a DVLA classification under Category S – Structural damage (vehicle that has sustained damage after 1 October 2017) or Category C (vehicle has sustained damage, rendering it beyond economical repair, prior to 1 October 2017), the vehicle must be submitted for a basic voluntary IVA inspection and a valid IVA certificate provided to the Licensing Team before the vehicle is permitted to be used as a private hire vehicle.

Production of records/documents

1.59 All original supporting documentation provided upon application must be retained for the duration of the licence period and must be produced, on request, to any authorised officer of the Council or to any police officer.

Inspection/examination

1.60 The proprietor must permit any authorised officer of the Council or any police officer, at all reasonable times, to inspect and examine the vehicle and to request driver identification and insurance details. A driver badge must be produced to an officer of the Council or any police officer during the inspection/examination. A driver's identification, certificate of insurance and MOT must be produced either during the inspection/examination to any authorised officer of the Council or any police officer or within 7 days to any authorised officer of the Council or any police officer.

APPENDIX E

EXECUTIVE PRIVATE HIRE VEHICLE LICENCE

CONDITIONS OF LICENCE

EXECUTIVE PRIVATE HIRE VEHICLE LICENCE - CONDITIONS OF LICENCE

General

1.0 Additional information regarding all aspects of private hire licensing is available in the Council's Hackney Carriage and Private Hire Licensing Policy and this must be read in conjunction with the specific conditions set out below. Any legal requirements that apply to the operation of a private hire licence are regarded as if they are conditions of the licence, whether specifically listed below or in the policy or not. Where reference is made to legal requirements either in the conditions below or in the Council's policy, proprietors are advised that such references are not exhaustive and it is the proprietor's responsibility to ensure they are fully aware of all relevant legal requirements with which they must comply.

Fit and proper person

1.1 Throughout the currency of the licence, the proprietor must be a fit and proper person to hold the licence. In this respect, the proprietor must have due regard to the relevant provisions of the Council's policy, be aware of the checks that will be undertaken by the Council and act in accordance with the responsibilities that being a fit and proper person would reasonably place on a proprietor.

Convictions

1.2 The proprietor or where the proprietor is a partnership or a company, all partners or directors/company secretaries, as appropriate, during the currency of the licence must, within 48 hours, disclose to the Council, in writing, if:

- They are interviewed under caution or attend a voluntary interview
- They receive any warnings, cautions, community resolutions, non-molestation orders, child abduction warning notices, domestic violence prevention orders, anti-social behaviour orders, immigration penalties, fixed penalties or driving endorsements (driving convictions), including any from outside the UK
- They are arrested, including any arrest from outside the UK (whether or not charged with an offence)
- They are charged with any criminal offence, including any from outside the UK (includes driving/motoring offences)
- They receive bail conditions or bail extensions. A copy of the bail notice must be provided to the Council
- They are summonsed to court for any criminal offence, including any from outside the UK (includes driving/motoring offences)
- They are convicted of any criminal offence, including any conviction from outside the UK (includes driving/motoring offences)
- Any allegations are made of their involvement in criminal activity, including any from outside the UK
- The licensed vehicle is seized by the police or another authorised officer
- A licence issued by DVLA on behalf of the Office of the Traffic Commissioner, i.e., Passenger Carrying Vehicle (PCV) licence, Public Service Vehicle (PSV), is suspended or revoked or if they receive a written warning
- A licence issued by another Local Authority is suspended or revoked or if they receive a written warning

Drivers who may lawfully drive an executive private hire vehicle

1.3 The proprietor of a licensed executive private hire vehicle must ensure that only drivers licensed by the Council are permitted to drive the vehicle.

Test requirements

1.4 All vehicles must meet the Council's safety and fitness test requirements. Where a vehicle is the subject of any test during the application process or during the currency of any licence and it is determined that the vehicle is not fit for the purpose of conveying passengers the proprietor must notify the Council as soon as is reasonably practicable, and in any case within 72 hours of the occurrence.

LPG converted vehicles

1.5 The proprietor must notify the Council within 7 days of any LPG conversion.

1.6 The proprietor must provide a copy of the amended V5 registration certificate to the Council within 7 days of the certificate being received.

External vehicle licence plates

1.7 The external licence plate identifying the vehicle as an executive private hire vehicle as issued by the Council and required to be exhibited on the vehicle pursuant to Section 48 of the Local Government (Miscellaneous Provisions) Act 1976 must be:

- Securely fixed to the outside rear of the vehicle in a conspicuous position (the requirement for a front plate does not apply to executive vehicles)
- Maintained, kept clean and in such a condition that the information on the plates is clearly visible to the public at all times
- Displayed at all times and in such a manner as to be easily removable by an authorised officer of the Council or a police officer (except during any period that a vehicle is used for carrying passengers for hire or reward under a contract, where the contract specifically requires no plates to be displayed, and where the hire of the vehicle is for a period of not less than 24 hours. During the period where the plates are not displayed, they must be retained in the vehicle and made available for inspection by an authorised officer of the Council or a police officer when requested)

1.8 In the event that a licence plate is lost it is the responsibility of the proprietor of the vehicle to notify the Council within 72 hours and to obtain a replacement plate (at the proprietor's cost).

1.9 The external licence plate must be returned to the Council within 7 days of revocation or expiry of the vehicle's licence; where the licence is suspended, be returned if required.

1.10 Any existing licence plates must be returned to the Council before new licence plates for a vehicle will be issued; this includes transfers.

1.11 In addition, a proprietor must not sell, transfer or otherwise dispose of the vehicle plates separately from the vehicle in respect of which they have been issued, nor permit such plates to be sold transferred or otherwise disposed of by anyone else.

Signs

1.12 Executive private hire vehicles must not display a roof sign.

1.13 Executive private hire vehicles must not display any company advertising, information, images or other material.

Internal signage

1.14 The internal executive licence signage must be securely fixed in the front windscreen on the passenger side of the vehicle which does not interfere with the drivers view of the road or on the partition for purpose-built vehicles where a partition is fitted.

1.15 Where applicable, the Council issued medical exception notice must be securely fixed in the front windscreen on the passenger side of the vehicle which does not interfere with the drivers view of the road.

1.16 In the event that the internal signage is lost it is the responsibility of the proprietor of the vehicle to notify the Council within 72 hours and to obtain a replacement (at the proprietor's cost).

1.17 The internal signage must be returned to the Council within 7 days of revocation or expiry of the vehicle's licence; where the licence is suspended, be returned if required.

Interior markings

1.18 The proprietor must clearly display and maintain inside the vehicle, in such a position as to be clearly visible to passengers inside the vehicle at all times;

- The maximum number of persons licensed to be conveyed therein
- The private hire vehicle licence number
- Contact details for reporting complaints/compliments to the Council
- A 'No Smoking' sign

Other requirements

1.19 The proprietor MUST at all times:

- Ensure that the vehicle is not used for illegal or illicit purposes
- Ensure that the vehicle is maintained in a sound mechanical and structural condition
- Ensure that no items are hung from or attached to the rear-view mirror
- Ensure that the vehicle is not fitted with 3D, 4D, ghost or sticker vehicle registration plates
- Ensure that the vehicle is maintained in a clean and safe condition from both exterior and interior perspectives
- Ensure that all drivers who drive a wheelchair accessible vehicle have satisfactorily completed training on how to safely restrain a wheelchair user

Use of information on, in and from an executive private hire vehicle

1.20 Displaying information, advertisements, images or other material in or on an executive private hire vehicle is prohibited.

Closed circuit television (CCTV)

1.21 Proprietors wishing to install closed circuit television (CCTV) in their executive private hire vehicle, must notify the Council, in writing, of their intention to do so.

1.22 The CCTV system must be installed in accordance with the appropriate legal framework.

1.23 Where CCTV is fitted, proprietors must maintain a valid registration with the Information Commissioners Office (ICO) throughout the duration of the licence or until such a time as the CCTV has been removed from the licensed vehicle.

1.24 Where a CCTV system is removed from a licensed vehicle, proprietors must notify the Council, in writing, within 7 days.

Trailers

1.25 Proprietors must ensure any trailer:

- Is inspected annually with the vehicle to which it relates
- Has a plate that relates to the towing vehicle(s)
- Complies with conditions applicable to the use of trailers set out in **Appendix M** of the Council's policy

Change of particulars

1.26 Where there is a change to a private hire operator of an executive private hire vehicle, written confirmation from the new private hire operator that the vehicle will only undertake executive work must be received by the Council within 7 days of such change taking place.

1.27 The proprietor of a licensed executive private hire vehicle must notify the Council, in writing, of any change of particulars which may occur during the currency of their licence, including any change of address, change of phone number or change of email address, within 7 days of such a change taking place.

1.28 A proprietor must notify the Council, in writing, of any change of partners, directors/company secretaries which may occur during the currency of their licence. Any such change must be notified within 7 days.

1.29 Where a new partner or director is proposed, the new partner or director must provide a basic criminal record disclosure from the Disclosure and Barring Service, unless the partner or director is the holder of a hackney carriage and private hire driver licence or private hire operator licence issued by Shropshire Council (applicants can apply to https://www.gov.uk/request-copy-criminal-record). A basic criminal record disclosure will only be accepted by the Council within three months of the date of issue from the Disclosure and Barring Service.

1.30 Where the licence is held in the name of a limited company, a proprietor must notify the Council, in writing, of any change to its office address registered with Companies House which may occur during the currency of their licence. Any such change must be notified within 7 days.

1.31 Where the licence is held in the name of a limited company, a proprietor must notify the Council, in writing, when the limited company is dissolved with Companies House. Any such change must be notified within 7 days.

1.32 Where the licence is held in the name of a limited company, a proprietor must notify the Council, in writing, of any change to the trading name as listed on the hackney carriage licence which may occur during the currency of their licence. Any such change must be notified within 7 days.

MOT

1.33 The vehicle must have a valid MOT throughout the licence period.

1.34 Vehicles must be submitted for an MOT inspection an accordance with the following:

- Vehicles, up to 9 years from date of first registration, must be submitted for an MOT inspection at 6-monthly intervals.
- Vehicles 9 years of age or older from date of first registration, in addition to the MOT certificate submitted with an application, must have two additional MOT tests per year; tests being spaced evenly throughout the year at four monthly intervals.

1.35 A copy of the MOT certificate must be submitted to the Licensing Team within 10 working days of the date of issue from the MOT testing centre.

MOT failures, advisories and manufacturer recalls

1.36 Where a vehicle has failed an MOT under the category dangerous (do not drive until repaired) defects, the proprietor of a licensed executive private hire vehicle must ensure that the vehicle is not used as an executive private hire vehicle until the repairs have been undertaken and a new MOT pass certificate issued.

1.37 Where a vehicle fails an MOT under the category major (repair immediately) defects, the proprietor of a licensed executive private hire vehicle must ensure that the vehicle is not used as an executive private hire vehicle until the repairs have been undertaken and a new MOT pass certificate issued.

1.38 The proprietor of a licensed executive private hire vehicle must, when requested by the Council, rectify any items listed on an MOT certificate under minor or advisory information, or as an outstanding recall, and provide evidence that the work has been completed to the Council within a specified time.

Insurance

1.39 Satisfactory evidence must be produced that there is in force, for the use of the vehicle, a policy of insurance covering the carriage of passengers for hire or reward by pre-booking only or such security as complies with the requirements of Part VI of the Road Traffic Act 1988 throughout the licence period.

1.40 The proprietor must ensure that at all times a list is maintained of all licensed drivers authorised under the policy to drive the vehicle and must make such a list available to an authorised officer of the Council or a police officer at all reasonable times, when so required.

1.41 Proprietors must ensure that where a vehicle is insured by a proprietor and the proprietor allows another licensed Shropshire Council driver to drive their vehicle, or the vehicle is covered under a fleet insurance policy, drivers are aware of the content of the policy, including its limitations and exclusions. The proprietor must keep a record, signed by the driver, when this has been completed.

Smoking

1.42 The proprietor of a private hire vehicle must not permit the driver and passengers to smoke in the licensed vehicle (this includes electronic cigarettes).

Vehicle Excise Duty (Road Tax)

1.43 The vehicle must have valid Road Tax throughout the currency of the licence.

Alterations to vehicles

1.44 No material alteration or change in the mechanical or structural specification, design, condition or appearance of the vehicle is permitted without the prior approval of the Council, this includes but is not restricted to bull bars, running boards, side steps, side bars, LPG conversations and other similar alterations and changes.

1.45 The Council will not permit any form of additional film or stickers to be affixed to the glass on any part of the vehicle unless it is Council specified signage (internal plates, 'vehicle copy' of driver badge, compliments sticker, no smoking sign).

Damage to vehicles

1.46 Notification must be given by the proprietor to the Council as soon as reasonably practicable on the Council's accident report form and in any case within 72 hours of the occurrence of any accident/damage to the vehicle that materially affects the safety, performance or appearance of the vehicle, or the comfort or convenience of persons carried therein and provide photographic evidence of the damage when requested by the Council.

1.47 Where a proprietor has notified the Council that a licensed vehicle has sustained structural damage from a road traffic accident resulting in a DVLA classification under Category S – Structural damage (vehicle that has sustained damage after 1 October 2017) or Category C (vehicle has sustained damage, rendering it beyond economical repair, prior to 1 October 2017), the vehicle must be submitted for a basic voluntary IVA inspection and a valid IVA certificate provided to the Licensing Team before the vehicle is permitted to be used as an executive private hire vehicle.

Production of records/documents

1.48 All original supporting documentation provided upon application must be retained for the duration of the licence period and must be produced, on request, to any authorised officer of the Council or to any police officer.

Inspection/examination

1.49 The proprietor must permit any authorised officer of the Council or any police officer, at all reasonable times, to inspect and examine the vehicle and to request driver identification and insurance details. A driver badge must be produced to an officer of the Council or any police officer during the inspection/examination. A driver's identification, certificate of insurance and MOT must be produced either during the inspection/examination to any authorised officer of the Council or any police officer or within 7 days to any authorised officer of the Council or any police officer.

APPENDIX F

NOVELTY PRIVATE HIRE VEHICLE LICENCE

CONDITIONS OF LICENCE

NOVELTY PRIVATE HIRE VEHICLE LICENCE - CONDITIONS OF LICENCE

General

1.0 Additional information regarding all aspects of private hire licensing is available in the Council's Hackney Carriage and Private Hire Licensing Policy and this must be read in conjunction with the specific conditions set out below. Any legal requirements that apply to the operation of a private hire licence are regarded as if they are conditions of the licence, whether specifically listed below or in the policy or not. Where reference is made to legal requirements either in the conditions below or in the Council's policy, proprietors are advised that such references are not exhaustive and it is the proprietor's responsibility to ensure they are fully aware of all relevant legal requirements with which they must comply.

Fit and proper person

1.1 Throughout the currency of the licence, the proprietor must be a fit and proper person to hold the licence. In this respect, the proprietor must have due regard to the relevant provisions of the Council's policy, be aware of the checks that will be undertaken by the Council and act in accordance with the responsibilities that being a fit and proper person would reasonably place on a proprietor.

Convictions

1.2 The proprietor or where the proprietor is a partnership or a company, all partners or directors/company secretaries, as appropriate, during the currency of the licence must, within 48 hours, disclose to the Council, in writing, if:

- They are interviewed under caution or attend a voluntary interview
- They receive any warnings, cautions, community resolutions, non-molestation orders, child abduction warning notices, domestic violence prevention orders, anti-social behaviour orders, immigration penalties, fixed penalties or driving endorsements (driving convictions), including any from outside the UK
- They are arrested, including any arrest from outside the UK (whether or not charged with an offence)
- They are charged with any criminal offence, including any from outside the UK (includes driving/motoring offences)
- They receive bail conditions or bail extensions. A copy of the bail notice must be provided to the Council
- They are summonsed to court for any criminal offence, including any from outside the UK (includes driving/motoring offences)
- They are convicted of any criminal offence, including any conviction from outside the UK (includes driving/motoring offences)
- Any allegations are made of their involvement in criminal activity, including any from outside the UK
- The licensed vehicle is seized by the police or another authorised officer
- A licence issued by DVLA on behalf of the Office of the Traffic Commissioner, i.e., Passenger Carrying Vehicle (PCV) licence, Public Service Vehicle (PSV), is suspended or revoked or if they receive a written warning
- A licence issued by another Local Authority is suspended or revoked or if they receive a written warning

Drivers who may lawfully drive a private hire vehicle

1.3 The proprietor of a licensed private hire vehicle must ensure that only drivers licensed by the Council are permitted to drive the vehicle.

Test requirements

1.4 All vehicles must meet the Council's safety and fitness test requirements. Where a vehicle is the subject of any test during the application process or during the currency of any licence and it is determined that the vehicle is not fit for the purpose of conveying passengers the proprietor must notify the Council as soon as is reasonably practicable, and in any case within 72 hours of the occurrence.

LPG converted vehicles

1.5 The proprietor must notify the Council within 7 days of any LPG conversion.

1.6 The proprietor must provide a copy of the amended V5 registration certificate to the Council within 7 days of the certificate being received.

External vehicle licence plates

1.7 The external vehicle licence plate identifying the vehicle as a novelty private hire vehicle as issued by the Council and required to be exhibited on the vehicle pursuant to Section 48 of the Local Government (Miscellaneous Provisions) Act 1976 must be:

- Securely fixed to the outside rear of the vehicle in a conspicuous position (the requirement for a front plate does not apply to novelty private hire vehicles)
- Maintained, kept clean and in such a condition that the information on the plates is clearly visible to the public at all times
- Displayed at all times and in such a manner as to be easily removable by an authorised officer of the Council or a police officer

1.8 AND at no time, during the currency of the vehicle licence, is it permitted for the licence plates to be removed from the licensed vehicle.

1.9 In the event that a licence plate is lost it is the responsibility of the proprietor of the vehicle to notify the Council within 72 hours and to obtain a replacement plate (at the proprietor's cost).

1.10 The external licence plate must be returned to the Council within 7 days of revocation or expiry of the vehicle's licence; where the licence is suspended, be returned if required.

1.11 Any existing licence plates must be returned to the Council before new licence plates for a vehicle will be issued; this includes transfers.

1.12 In addition, a proprietor must not sell, transfer or otherwise dispose of the vehicle plates separately from the vehicle in respect of which they have been issued, nor permit such plates to be sold transferred or otherwise disposed of by anyone else.

Signs

1.13 Novelty private hire vehicles must not display a roof sign.

Internal signage

1.14 The internal novelty private hire vehicle licence signage must be securely fixed in the front windscreen on the passenger side of the vehicle which does not interfere with the drivers view of the road or on the partition for purpose-built vehicles where a partition is fitted.

1.15 Where applicable, the Council issued medical exception notice must be securely fixed in the front windscreen on the passenger side of the vehicle which does not interfere with the drivers view of the road.

1.16 In the event that the internal signage is lost it is the responsibility of the proprietor of the vehicle to notify the Council within 72 hours and to obtain a replacement (at the proprietor's cost).

1.17 The internal signage must be returned to the Council within 7 days of revocation or expiry of the vehicle's licence; where the licence is suspended, be returned if required.

Interior markings

1.18 The proprietor must clearly display and maintain inside the vehicle, in such a position as to be clearly visible to passengers inside the vehicle at all times:

- The maximum number of persons licensed to be conveyed therein
- The private hire vehicle licence number
- Contact details for reporting complaints/compliments to the Council
- A 'No Smoking' sign

1.19 In addition, if a proprietor wishes to operate a pre-payment system, signs indicating the period and under what circumstances this is applicable are permitted, e.g., pre-payment required between the hours of 1900 to 0700. This does not mean such signs or pre-payment between these hours is compulsory; the condition simply permits a sign to be displayed should a proprietor wish to operate a pre-payment system.

Other requirements

1.20 The proprietor MUST at all times:

- Ensure that the vehicle is not used for illegal or illicit purposes
- Ensure that the vehicle is maintained in a sound mechanical and structural condition
- Ensure that no items are hung from or attached to the rear-view mirror
- Ensure that the vehicle is not fitted with 3D, 4D, ghost or sticker vehicle registration plates
- Ensure that the vehicle is maintained in a clean and safe condition from both exterior and interior perspectives
- Ensure that all drivers who drive a wheelchair accessible vehicle have satisfactorily completed training on how to safely restrain a wheelchair user

Use of information on, in and from a novelty private hire vehicles

1.21 Proprietors must obtain approval from the Council prior to displaying any information, advertisements, images or other material on their novelty private hire vehicle.

1.22 Materials that are used to display any information, advertisements, images or other material must be of a quality not easily defaced, soiled or detached.

1.23 Reflective material must not be used.

1.24 Signs used to display any information, advertisements, images or other material must not be illuminated.

1.25 Information, advertisements, images or other material may be affixed directly onto the exterior and/or internal body of the vehicle and must be in such a position as not to obscure Council issued plates and all other required signs.

1.26 Information, advertisements, images or other material must comply with the relevant requirements as set out in **Appendix L** of the Council's Policy.

1.27 Novelty private hire vehicles are prohibited from displaying the words 'taxi' or 'cab' in the singular or plural or the word 'hire' unless the word 'hire' forms part of the relevant company name or any word or similar meaning (e.g., 'kab') or appearance to any of these words, whether alone or as part of another word.

1.28 Proprietors must not permit any vehicle to be advertised as an 'executive vehicle' or 'executive travel' unless the vehicle is licensed as an executive private hire vehicle by the Council.

Closed circuit television (CCTV)

1.29 Proprietors wishing to install closed circuit television (CCTV) in their novelty private hire vehicle, must notify the Council, in writing, of their intention to do so.

1.30 The CCTV system must be installed in accordance with the appropriate legal framework.

1.31 Where CCTV is fitted, proprietors must maintain a valid registration with the Information Commissioners Office (ICO) throughout the duration of the licence or until such a time as the CCTV has been removed from the licensed vehicle.

1.32 Where a CCTV system is removed from a licensed vehicle, proprietors must notify the Council, in writing, within 7 days.

Trailers

1.33 Proprietors must ensure any trailer:

- Is inspected annually with the vehicle to which it relates
- Has a plate that relates to the towing vehicle(s)
- Complies with conditions applicable to the use of trailers set out in **Appendix M** of the Council's Policy

Meters

1.34 Whilst the fitting of meters is not mandatory in novelty private hire vehicles, if meters are fitted, then the following conditions apply:

- When the machinery of the meter is in action there must be recorded on the face of the meter in figures clearly legible and free from ambiguity, a fare not exceeding the rate of fare which the proprietor or driver is entitled to demand and take for the hire of the vehicle by distance.

- The meter must be so placed that all the letters and figures on the face thereof shall be at all times plainly visible to any person being conveyed in the vehicle and for that purpose the letters and figures must be capable of being illuminated during any period of hiring.
- The meter must be set to reflect the current private hire operator's tariff.
- Where there is a change to the private hire operator's tariff the meter must be re-calibrated to the new tariff and the meter checked against a measured distance before the vehicle can recommence private hire work.
- The proprietor of the vehicle must provide a valid certificate/report of compliance to the Council within 72 hours of the new private hire operator's tariff coming into effect, confirming the date the meter was calibrated to the new tariff.

Change of particulars

1.35 The proprietor of a licensed novelty private hire vehicle must notify the Council, in writing, of any change of particulars which may occur during the currency of their licence, including any change of address, change of phone number or change of email address within 7 days of such a change taking place.

1.36 A proprietor must notify the Council, in writing, of any change of partners, directors/company secretaries which may occur during the currency of their licence. Any such change must be notified within 7 days.

1.37 Where a new partner or director is proposed, the new partner or director must provide a basic criminal record disclosure from the Disclosure and Barring Service, unless the partner or director is the holder of a hackney carriage and private hire driver licence or private hire operator licence issued by Shropshire Council (applicants can apply to https://www.gov.uk/request-copy-criminal-record). A basic criminal record disclosure will only be accepted by the Council within three months of the date of issue from the Disclosure and Barring Service.

1.38 Where the licence is held in the name of a limited company, a proprietor must notify the Council, in writing, of any change to its office address registered with Companies House which may occur during the currency of their licence. Any such change must be notified within 7 days.

1.39 Where the licence is held in the name of a limited company, a proprietor must notify the Council, in writing, when the limited company is dissolved with Companies House. Any such change must be notified within 7 days.

1.40 Where the licence is held in the name of a limited company, a proprietor must notify the Council, in writing, of any change to the trading name as listed on the hackney carriage licence which may occur during the currency of their licence. Any such change must be notified within 7 days.

MOT

1.41 The vehicle must have a valid MOT throughout the licence period.

1.42 Vehicles must be submitted for an MOT inspection an accordance with the following:

- Vehicles, up to 9 years from date of first registration, must be submitted for an MOT inspection at 6-monthly intervals.

- Vehicles 9 years of age or older from date of first registration, in addition to the MOT certificate submitted with an application, must have two additional MOT tests per year; tests being spaced evenly throughout the year at four monthly intervals.

1.43 A copy of the MOT certificate must be submitted to the Licensing Team within 10 working days of the date of issue from the MOT testing centre.

MOT failures, advisories and manufacturer recalls

1.44 Where a vehicle has failed an MOT under the category dangerous (do not drive until repaired) defects, the proprietor of a licensed novelty private hire vehicle must ensure that the vehicle is not used as a novelty private hire vehicle until the repairs have been undertaken and a new MOT pass certificate issued.

1.45 Where a vehicle fails an MOT under the category major (repair immediately) defects, the proprietor of a licensed novelty private hire vehicle must ensure that the vehicle is not used as a novelty private hire vehicle until the repairs have been undertaken and a new MOT pass certificate issued.

1.46 The proprietor of a licensed novelty private hire vehicle must, when requested by the Council, rectify any items listed on an MOT certificate under minor or advisory information, or as an outstanding recall, and provide evidence that the work has been completed to the Council within a specified time.

Insurance

1.47 Satisfactory evidence must be produced that there is in force, for the use of the vehicle, a policy of insurance covering the carriage of passengers for hire or reward by pre-booking only or such security as complies with the requirements of Part VI of the Road Traffic Act 1988 throughout the licence period.

1.48 The proprietor must ensure that at all times a list is maintained of all licensed drivers authorised under the policy to drive the vehicle and must make such a list available to an authorised officer of the Council or a police officer at all reasonable times, when so required.

1.49 Proprietors must ensure that where a vehicle is insured by a proprietor and the proprietor allows another licensed Shropshire Council driver to drive their vehicle, or the vehicle is covered under a fleet insurance policy, drivers are aware of the content of the policy, including its limitations and exclusions. The proprietor must keep a record, signed by the driver, when this has been completed.

Smoking

1.50 The proprietor of a private hire vehicle must not permit the driver and passengers to smoke in the licensed vehicle (this includes electronic cigarettes and vaping).

Vehicle Excise Duty (Road Tax)

1.51 The vehicle must have valid Road Tax throughout the currency of the licence.

Alterations to vehicles

1.52 No material alteration or change in the mechanical or structural specification, design, condition or appearance of the vehicle is permitted without the prior approval of the Council, this includes but is not restricted to bull bars, running boards, side steps, side bars, LPG conversations and other similar alterations and changes.

1.53 The Council will not permit any form of additional film or stickers to be affixed to the glass on any part of the vehicle unless it is Council specified signage (internal plates, 'vehicle copy' of driver badge, compliments sticker, no smoking sign).

Damage to vehicles

1.54 Notification must be given by the proprietor to the Council as soon as reasonably practicable on the Council's accident report form and in any case within 72 hours of the occurrence of any accident/damage to the vehicle that materially affects the safety, performance or appearance of the vehicle, or the comfort or convenience of persons carried therein and provide photographic evidence of the damage when requested by the Council.

1.55 Where a proprietor has notified the Council that a licensed vehicle has sustained structural damage from a road traffic accident resulting in a DVLA classification under Category S – Structural damage (vehicle that has sustained damage after 1 October 2017) or Category C (vehicle has sustained damage, rendering it beyond economical repair, prior to 1 October 2017), the vehicle must be submitted for a basic voluntary IVA inspection and a valid IVA certificate provided to the Licensing Team before the vehicle is permitted to be used as a novelty private hire vehicle.

Production of records/documents

1.56 All original supporting documentation provided upon application must be retained for the duration of the licence period and must be produced, on request, to any authorised officer of the Council or to any police officer.

Inspection/examination

1.57 The proprietor must permit any authorised officer of the Council or any police officer, at all reasonable times, to inspect and examine the vehicle and to request driver identification and insurance details. A driver badge must be produced to an officer of the Council or any police officer during the inspection/examination. A driver's identification, certificate of insurance and MOT must be produced either during the inspection/examination to any authorised officer of the Council or any police officer or within 7 days to any authorised officer of the Council or any police officer.

APPENDIX G

PRIVATE HIRE OPERATOR LICENCE

CONDITIONS OF LICENCE

PRIVATE HIRE OPERATOR LICENCE - CONDITIONS OF LICENCE

General

1.0 Additional information regarding all aspects of private hire operator licensing is available in the Council's Hackney Carriage and Private Hire Licensing Policy and this must be in read in conjunction with the specific conditions set out below. Any legal requirements that apply to the operation of a private hire operator licence are regarded as if they are conditions of the licence, whether specifically listed below or in the policy or not. Where reference is made to legal requirements either in the conditions below or in the Council's policy, operators are advised that such references are not exhaustive and it is the operator's responsibility to ensure they are fully aware of all relevant legal requirements with which they must comply.

1.1 Where appropriate, any reference to 'employ' or 'employment' is deemed to include private hire drivers who may be contracted on a self-employed basis and used to fulfil bookings by a private hire operator.

Fit and proper person

1.2 Throughout the currency of the licence, the operator must be a fit and proper person to hold the licence. In this respect, the operator must have due regard to the relevant provisions of the Council's policy, be aware of the checks that will be undertaken by the Council and act in accordance with the responsibilities that being a fit and proper person would reasonably place on an operator.

1.3 Operators must provide a basic disclosure for all partners, directors/company secretaries and sole traders on an annual basis with the exception of holders of a hackney carriage/private hire drivers licence who are subject to an enhanced DBS.

1.4 An operator or where the operator is a partnership or a company, all partners or directors/company secretaries, as appropriate, during the currency of the licence must, within 48 hours, disclose to the Council, in writing, if:

- They are interviewed under caution or attend a voluntary interview
- They receive any warnings, cautions, community resolutions, non-molestation orders, child abduction warning notices, domestic violence prevention orders, anti-social behaviour orders, immigration penalties, fixed penalties or driving endorsements (driving convictions), including any from outside the UK
- They are arrested, including any arrest from outside the UK (whether or not charged with an offence)
- They are charged with any criminal offence, including any from outside the UK (includes driving/motoring offences)
- They receive bail conditions or bail extensions. A copy of the bail notice must be provided to the Council
- They are summonsed to court for any criminal offence, including any from outside the UK (includes driving/motoring offences)
- They are convicted of any criminal offence, including any conviction from outside the UK (includes driving/motoring offences)
- Any allegations are made of their involvement in criminal activity, including any from outside the UK

- A licence issued by DVLA on behalf of the Office of the Traffic Commissioner, i.e., Passenger Carrying Vehicle (PCV) licence, Public Service Vehicle (PSV), is suspended or revoked or if they receive a written warning
- A licence issued by another Local Authority is suspended or revoked or if they receive a written warning

1.5 Operators must comply with all reasonable requests made by officers of Shropshire Council and any police officer.

Convictions Policy

1.6 Operators must have a convictions policy that sets out the operator's position in relation to employment of ex-offenders.

1.7 Operators must provide all drivers, managers, office based administrative and telephony staff and agency staff, with details of the convictions policy.

1.8 The policy must include the following:

- The steps that will be taken to ensure that any convictions are compatible with an operator's policy on employing ex-offenders
- A clear statement on the requirement of a driver, managers, office based administrative and telephony staff and agency staff to notify the operator of any convictions while they are employed in the role
- How any new convictions will affect a driver, managers, office based administrative and telephony staff and agency staff employment status

Equalities Policy

1.9 Operators must have an equalities policy that sets out the operator's position in relation to hate crime and disability equality.

1.10 Operators must provide all drivers, managers, office based administrative and telephony staff and independent contractors with details of the equalities policy

1.11 The policy must include the following:

- A clear statement that hate crime, including racist, homophobic and transphobic language, will not be tolerated
- Details of the operators, drivers, vehicle proprietors, managers, office based administrative and telephony staff responsibilities with regard to hate crime and disability equality
- Where drivers can report incidents of hate crime to when the driver is the victim
- Where members of the public can report incidents of hate crime to when the member of the public is the victim

Designated person

1.12 Operators must have a suitably trained Designated Person (DP) with specific responsibility for safeguarding.

1.13 Operators must provide all drivers with details of the DP and how the DP can be contacted.

1.14 Operators must notify the Council in writing any change of DP which may occur during the currency of their licence. Any such change must be notified within 7 days.

1.15 Operators must ensure that the DP satisfactorily completes the Council's hackney carriage and private hire drivers and operators safeguarding and disability awareness course every two years, unless the DP is the holder of a hackney carriage and private hire driver licence issued by Shropshire Council and required to complete the training as part of the driver application process.

1.16 Operators must ensure that a record is maintained of all matters of concern received by the DP. The record should include, but is not restricted to, details of who reported the concern, date and time the concern was first identified, names and contact details of any persons relevant to the concern, details of any information disclosed together with all information relating to any action taken. Records must be made in a book/diary with consecutively numbered pages or in an appropriate electronic format. Where the records are kept electronically, they must be in an identifiable and secure format and must be capable of being reproduced in printed format at the request of an authorised officer of the Council or a police officer.

Safety of children, young persons and adults (including those with care and support needs)

1.17 Operators must take steps to ensure drivers know that they must report matters of concern which could relate to the safety of children, young persons and adults (including those with care and support needs) to the DP as soon as is practicable.

1.18 Operators must prominently display at their premises, where it is clearly visible to the licensed drivers, managers, office based administrative and telephony staff and independent contractors, information relating to the safety of children, young persons and adults (including those with care and support needs).

1.19 Operators must pass on any matters of concern reported to them which could relate to the safety of children, young persons and adults (including those with care and support needs) to the relevant authorities. Where there is an immediate risk, the operator must call the police on 999.

Contracting of private hire drivers and employment of other staff

1.20 For each private hire driver that an operator intends to use, the operator must examine the private hire driver licence, issued by the Council, and ensure it is valid prior to agreeing to their employ. In addition, an operator must ensure that a copy of each driver licence is lodged with the private hire operator business before the driver is employed to carry out private hire work and must retain the copy licence in their possession for the period during which the driver remains in their employ and for a period of at least 12 months thereafter.

1.21 Where the driver has provided a medical exemption certificate, the operator must verify the validity of the certificate with the Council.

1.22 Where an operator dismisses or terminates a contract with a driver, they must report the dismissal and reasons for it to the Council within 7 days of the dismissal taking effect. In addition, an operator must inform the Council of any driver misconduct within 7 days of being made aware of the misconduct. Misconduct means any conduct that leads to the operator receiving a complaint about the driver from any person, agency or organisation or any conduct that the operator becomes aware of by any means that appears to indicate

that the driver may have breached the requirements of this Policy or related conditions or any other conduct that appears to raise concerns about the driver's behaviour.

1.23 An operator must make and retain individual records of the steps they have taken to demonstrate how they are satisfied that an individual, including all prospective private hire drivers, managers, office based administrative and telephony staff and agency staff, is a fit and proper person. These steps must include, but are not restricted to:

- Face to face interviews with individuals
- Checks to ensure that the information provided by applicants is verified
- Independent professional and character references are requested and scrutinised
- Identity checks, right to work in the UK checks, national insurance number checks and relevant qualifications checks (if any) are verified as original documents
- Checks on previous employment history and experience
- Steps that are taken to verify that the individual has the health and physical capacity for the role
- A requirement of the employees' contract of employment to notify the operator of any convictions while they are employed in the role
- A record of any discrepancies or anomalies, how they have been investigated and satisfactorily resolved

1.24 An operator must ensure that individual records of the steps they have taken to demonstrate how they are satisfied that an individual, including all private hire drivers, managers, office based administrative and telephony staff and agency staff, is a fit and proper person are available, on request, to any authorised officer of the Council.

1.25 An operator must ensure that all private hire drivers, managers, office based administrative and telephony staff and agency staff are fully aware that it is a condition of the operator licence to ensure that staff remain fit and proper and therefore the steps the operator has continually taken to achieve this will be retained and made available, upon request, to an authorised officer of the Council.

1.26 An operator must ensure that all new managers, office based administrative and telephony staff and agency staff have undertaken a basic criminal record check from the Disclosure and Barring Service (applicants can apply to https://www.gov.uk/request-copy-criminal-record) in order to satisfy the Council's 'fit and proper person' test as referred to in condition 1.23 above. The operator must keep a copy of the disclosure in the individual record file for each individual person. Where an individual ceases to be on the register referred to in condition 1.48 below, and re-entered, a new basic criminal record check must be requested and retained on the individual record file. An operator must be able to demonstrate that this condition has been met, on request, by any authorised officer of the Council.

1.27 An operator must ensure all private hire drivers, employees and agency staff are made aware of and fully understand the meaning of 'plying for hire' and, in particular, that private hire drivers are NOT permitted to 'ply for hire' under any circumstances. The operator is responsible for keeping a record within each individual's training record file when this has been completed. A copy of any individual's training records must be produced, on request, to any authorised officer of the Council. The Council's interpretation of 'plying for hire' is set out at **Appendix H** and is based on relevant legislation and case law.

1.28 An operator must ensure that all private hire drivers, employees and agency staff are made aware of the provisions of section 167 of the Criminal Justice and Public Order Act 1994 with respect to touting; in particular, that subject to certain provisions, it is an offence, in a

public place, to tout people to hire their vehicles in order to carry them as passengers. The operator must keep a record within each individual's training record file when this has been completed. A copy of any individual's training records must be produced, on request, to any authorised officer of the Council.

1.29 An operator must ensure that all private hire drivers, managers, office based administrative and telephony staff and agency staff undertake training in the provisions of the General Data Protection Regulations (GDPR) within 7 days of commencement of employment. The operator must keep a record within each individual's training record file when this has been completed. A copy of any individual's training records must be produced, on request, to any authorised officer of the Council.

1.30 An operator must ensure that all managers, office based administrative and telephony staff and agency staff undertake safeguarding awareness training including exploitation (criminal and sexual exploitation), county lines, hate crime, modern day slavery and trafficking within 7 days of commencement of employment. The operator must keep a record within each individual's training record file when this has been completed. A copy of any individual's training records must be produced, on request, to any authorised officer of the Council.

1.31 An operator must ensure that all managers, office based administrative and telephony staff and agency staff undertake equality and disability awareness training. The operator must keep a record within each individual's training record file when this has been completed. A copy of any individual's training records must be produced, on request, to any authorised officer of the Council. The training should include but not limited to:

- the features of an inclusive, high-quality service
- appropriate attitudes, behaviours and skills
- assistance that can be provided to all passengers
- the protected characteristics, and related Equality Act 2010 duties
- understanding the different barriers that disabled people face when using private hire vehicles, and how they might be identified
- the role of private hire vehicles in enabling disabled people to be independent and the role of operators in facilitating this
- how to communicate with people with different communication needs
- how to assist people with a range of visible and less visible impairments
- the identification and role of assistance dogs
- legal obligations towards disabled passengers and the consequences of not complying with them
- an assessment of the trainee's knowledge and skills

1.32 An operator may outsource booking and dispatch functions, but they cannot pass on the obligation to protect children, young persons and adults (including those with care and support needs). Operators must evidence that comparable protections are applied by the operator to which they outsource these functions.

1.33 An operator must ensure that all private hire drivers, managers, office based administrative and telephony staff and agency staff are fully aware that the information contained with an individual's training records file is made available, upon request, to an authorised officer of the Council.

1.34 Operators must ensure that all drivers, managers, office based administrative and telephony staff and independent contractors comply with all reasonable requests made by officers of Shropshire Council and any police officer.

1.35 An operator must take appropriate steps to ensure that drivers do not work excessively long hours and put the safety of themselves and their passengers at risk.

Operator's premises

1.36 Operators operating two vehicles or less are permitted to:

- Divert the telephone number approved in the private hire operator licence to a single point of contact
- Allow the single point of contact to receive bookings and instruct drivers to fulfil bookings

1.37 The single point of contact must be positioned/located within the Shropshire Council administrative area and must maintain the booking records in accordance with the conditions of licence.

1.38 Operators operating more than two vehicles must ensure that all private hire bookings taken by the operator are received at and drivers of private hire vehicles instructed to fulfil bookings from within the physical premises (which must be located within the Shropshire Council administrative area) to which the licence is applicable.

1.39 Under no circumstances is an operator permitted to receive bookings or instruct drivers to fulfil bookings from any premises other than the premises referred to in their licence and which is physically located within the Shropshire Council administrative area (unless they fulfil the criteria as set out at condition 1.36).

1.40 All records that may be required to be retained by the operator must be held within the physical business premises that is licensed for the purposes of the private hire operator business for inspection by an officer of the Council or a police officer. This is required even where the home or registered office address of the operator is also recorded within the licence as a separate address.

1.41 Operators must ensure that their licensed premises and any vehicles operated under their operator licence are not used for illegal or illicit purposes.

Display of licence

1.42 Operators must display their private hire operator licence in a prominent position at any premises from where they operate and make available for inspection by members of the public if requested:

- A copy of their private hire operator conditions
- The conditions applicable to private hire vehicles, hackney carriages and driver licences, whichever are applicable

Vehicles which may lawfully be used

1.43 An operator, licensed by the Council under the provisions of section 55 of the Local Government (Miscellaneous Provisions) Act 1976, must only use private hire vehicles that are licensed by the Council.

1.44 An operator must not permit the use of a public service vehicle (PSV), such as a minibus to undertake a private hire vehicle booking, without the informed consent of the hirer.

1.45 Operators must not cause or permit a person to use a motor vehicle when the licence has been suspended or revoked or on a road when there is no insurance in place in respect of third-party risks or without a valid MOT or without the appropriate road tax.

Drivers who may lawfully be used

1.46 An operator, licensed by the Council under the provisions of section 55 of the Local Government (Miscellaneous Provisions) Act 1976, must only use drivers who hold a valid private hire vehicle drivers licence issued by the Council to drive a private hire vehicle that is licensed by the Council.

1.47 An operator must not permit a driver who holds a passenger carrying vehicle (PCV) licence, such as to drive a public service vehicle (PSV), to undertake a private hire vehicle booking, without the informed consent of the hirer. The hirer must be informed that a PCV driver is subject to different checks and not required to have an enhanced DBS check.

Taking bookings and retaining records

1.48 An operator must maintain an up-to-date register of all staff that will take bookings or dispatch vehicles.

1.49 An operator MUST NOT accept any booking made by a driver on behalf of a passenger.

1.50 An operator must ensure that any digital booking platform complies with the latest WCAG accessibility standard to Level AA and with the principles of the latest Public Sector Bodies (Websites and Mobile Applications) Accessibility Regulations as a minimum.

1.51 An operator accepting a booking remains liable for that booking, even if they sub-contract it to another operator.

1.52 An operator must make all reasonable provision that the booking system they have in place works effectively and that it enables any bookings that they accept to be honoured.

1.53 An operator must monitor the booking system to ensure that drivers and vehicles are available to fulfil the arrangements that are agreed with customers.

1.54 An operator must ensure that appropriate questions are asked at the booking stage as to whether a passenger requires assistance and, if so, what form of assistance is required, for example asking questions about the size of any wheelchair so that an appropriate sized vehicle can be allocated to the booking.

1.55 An operator MUST NOT fail or refuse to accept a booking made by, or on behalf of, a disabled person where the reason for failure or refusal is that the person is disabled, or to prevent a driver from being subject to the duties imposed under the Equality Act 2010, as found in the Hackney Carriage and Private Hire Licensing Policy 2027-2031, Appendix B, hackney carriage and private hire drivers licence – conditions of licence, conditions 1.22 and 1.26.

1.56 An operator MUST NOT make, or propose to make, an additional charge for the carrying out of any duty imposed on the driver of the private hire vehicle or pre-booked hackney carriage under the Equality Act 2010.

1.57 An operator must ensure that all relevant information is passed on the driver at the point of allocation of the booking and prior to commencement of the journey.

1.58 Immediately prior to the commencement of each journey, an operator licensed with the Council must keep records of any booking they accept. Such records must be kept either in a ledger with consecutively numbered pages, on individual consecutively numbered record slips, or in electronic format such as a computer database/spreadsheet. Where the records are kept electronically, they must be in an identifiable and secure format and must be capable of being reproduced in printed format at the request of an authorised officer of the Council or a police officer. Irrespective of the format of the records, all such records must be available at all reasonable times to an authorised officer of the council or to any police officer for inspection.

1.59 In respect of bookings made by telephone, website or by App, the following particulars must be recorded:

a) Time and date of each booking
b) Name of the hirer
c) How the booking was made (telephone, in person, etc)
d) Time, date and place of pickup
e) Destination of the hirer
f) Any accessibility needs of the passengers
g) A unique journey reference number must be allocated to each journey
h) Call sign or registration number and licence number of the vehicle used for each booking
i) Where a Public Service Vehicle (PSV) is dispatched, the informed consent of the hirer
j) Full name and licence number of the driver allocated to the booking
k) The name of any individual that responded to the booking request (except where a booking may be responded to by an electronic system rather than a named person)
l) The name of any individual that dispatched the vehicle (except where a booking may be dispatched by an electronic system rather than a named person)
m) Any other comments relevant to the booking, including details of specific instructions from the hirer or sub-contracting arrangements with another operator
n) Global Positioning System (GPS) data must be retained following completion of a journey with the final destination recorded

1.60 In respect of bookings being made by Interactive Voice Response (IVR) the following particulars must be recorded:

a) Time and date of each booking
b) Name of the hirer
c) How the booking was made (telephone, in person, etc)
d) Time, date and place of pickup
e) Any accessibility needs of the passengers
f) The destination of the hirer, recorded by a Global Positioning System (GPS) tracking system, must post populate the booking record at the conclusion of the journey with the actual destination
g) A unique journey reference number allocated to each journey
h) Call sign or registration number and licence number of the vehicle used for each booking
i) Where a Public Service Vehicle (PSV) is dispatched, the informed consent of the hirer
j) Full name and licence number of the driver allocated to the booking

k) The name of any individual that dispatched the vehicle (except where a booking may be dispatched by an electronic system rather than a named person)
l) Any other comments relevant to the booking, including details of specific instructions from the hirer or sub-contracting arrangements with another operator
m) Global Positioning System (GPS) data must be retained following completion of a journey

1.61 In respect of bookings being made by other electronic means, e.g., "taxi butler" or equivalent device, the following particulars must be recorded:

a) Time and date of each booking
b) How the booking was made (telephone, in person, etc)
c) Time, date and place of pickup
d) The destination of the hirer, recorded by a Global Positioning System (GPS) tracking system, must post populate the booking record at the conclusion of the journey with the actual destination
e) The unique reference number allocated to each journey
f) Call sign or registration number and licence number of the vehicle used for each booking
g) Full name and licence number of the driver allocated to the booking
h) The name of any individual that dispatched the vehicle (except where a booking may be dispatched by an electronic system rather than a named person)
i) Any other comments relevant to the booking, including details of specific instructions from the hirer or sub-contracting arrangements with another operator
j) Global Positioning System (GPS) data must be retained following completion of a journey

Executive vehicles

1.62 An operator must not permit any executive plated vehicles to fulfil general private hire bookings.

1.63 Executive vehicles must only be used for executive service which is defined as the provision of a vehicle or vehicles that is/are **exclusively** used for executive private hire work and **not** for 'normal' or general-purpose private hire use.

1.64 Bookings taken in respect of clients who require an executive private hire must be paid for on account. No payment can be made to the driver of the vehicle at time of hiring.

1.65 Copies of invoices and/or any business-to-business contracts must be retained and made available at all reasonable times to an authorised officer of the Council or to any police officer for inspection.

Novelty vehicles

1.66 An operator must not permit any novelty plated vehicles to fulfil any executive or general private hire bookings.

1.67 Novelty vehicles must only be used for special events, which are defined as the provision of a vehicle or vehicles for events such as, but not limited to, weddings, proms, anniversaries, birthdays, stag and hen parties and **not** for 'normal' or general-purpose private hire use.

1.68 Bookings taken in respect of clients who require a novelty private hire must require a deposit to be paid for in advance.

Records for Passenger Transport contracts

1.69 Immediately prior to the commencement of each journey, an operator licensed with the Council must keep details of the contract and the driver and passenger assistant who fulfilled each journey. Such records must be kept either in a ledger with consecutively numbered pages, on individual consecutively numbered record slips, or in electronic format such as a computer database/spreadsheet. Where the records are kept electronically, they must be in an identifiable and secure format and must be capable of being reproduced in printed format at the request of an authorised officer of the Council or a police officer. Irrespective of the format of the records, all such records must be available at all reasonable times to an authorised officer of the Council or to any police officer for inspection.

Records of vehicles and drivers

1.70 An operator must keep and maintain at their licensed premises up to date records of the particulars of all their drivers and vehicles whether or not the vehicle is owned by the operator. The records to be kept must include:

a) Copies of the private hire vehicle or hackney carriage licence issued by the Council
b) Private hire vehicle or hackney carriage vehicle licence plate numbers
c) Vehicle descriptions (make/model) and vehicle registration numbers
d) Full names and addresses of the proprietors of each vehicle
e) Copies of current/valid insurance documents for all vehicles
f) Where relevant, any radio or computer call sign used to identify vehicles or drivers
g) Full names and addresses of the private hire and hackney carriage drivers used
h) Copies of the private hire and hackney carriage driver licences, issued by the Council, relating to the drivers in their employ
i) Drivers licence numbers (badge number) of the private hire and hackney carriage drivers relating to the drivers in their employ
j) A copy of any medical exemption certificate issued by the Council, which must have been verified directly with the Council
k) Written evidence that each driver has satisfactorily completed basic safeguarding and disability awareness training
l) Written evidence that each driver who drives a wheelchair accessible vehicle has satisfactorily completed training on how to safely restrain a wheelchair user

1.71 An operator must notify the Council within 72 hours when any vehicle or driver commences in their employ. Any other changes relating to licensed vehicles and drivers, to include when a vehicle or driver ceases to be in their employ, must be notified to the Council within 7 days.

1.72 An operator must notify the Council, within 7 days of the date of notification, of any change of address relating to any driver or vehicle proprietor they employ or allow to operate within the business.

1.73 An operator must provide to the Council a complete and up to date list of all drivers and vehicles employed by the business when requested to do so by an officer of the Council.

Retention of records

1.74 All records kept by the operator under conditions 1.59 to 1.61, 1.65, 1.69 and 1.70 above must be retained for a period of not less than 6 months for licensing purposes. Other legislation may require records to be kept for a longer period.

1.75 All records kept by the operator under conditions 1.59 to 1.61, 1.65, 1.69 and 1.70 above must be kept in accordance with the General Data Protection Regulations (GDPR).

Standards of service

1.76 An operator must provide prompt, efficient and reliable service to members of the public at all reasonable times and for this purpose must in particular:

- Provide adequate information and communications technology, facilities and staff, as appropriate
- Ensure the highest level of customer service and care
- Publish a clear and transparent fare structure, including surcharges, e.g. toll roads, tunnel charges, parking charges, airport drop-off, etc.
- Ensure that when a private hire vehicle has been hired to be in attendance at an appointed time and place, the vehicle shall, unless delayed or prevented by sufficient cause, punctually attend at that appointed time and place
- Where a waiting area or room is provided to which the public has access for the purposes of booking or waiting, must ensure that the area/room:
    - is kept in a good state of repair (interior and exterior)
    - is kept clean, adequately heated, ventilated and lit
    - has adequate seating facilities
    - is kept physically separated from any driver rest areas and radio operation rooms
    - is arranged in such a manner that staff, drivers and vehicle proprietors do not congregate within such areas
    - a no smoking (including electronic cigarettes and vaping) policy that complies with the Health Act 2006 and the Smoke-Free (Exemptions and Vehicles) Regulations 2007 operates
- Ensure that any telephone facilities and radio equipment (for which an OFCOM Radio Licence may be required) are maintained in a sound condition and that any defects are repaired promptly
- Where a private hire operator wishes to operate a pre-payment system, notification must be provided to the hirer indicating the period and under what circumstances this is applicable, e.g., pre-payment required between the hours of 1900 to 0700. This does not mean pre-payment between these hours is compulsory

Complaints

1.77 Operators must set up an effective internal complaints procedure to deal with complaints made by the public against the business, vehicle proprietors and/or drivers. Wherever possible, the procedure must be set up in such a way that complaints are dealt with by the operator or a member of staff not directly connected with the taking of private hire bookings or the despatching of drivers and vehicles. An operator must monitor and review the complaints procedure to ensure it is operating effectively and make changes where necessary to ensure continued effectiveness.

1.78 Operators must ensure that all complaints received are properly recorded. This must include, but is not limited to, complainant name and contact details, details of the complaint,

details of the booking (who accepted it on behalf of the business), vehicle details and driver details together with all information relating to any action taken.

1.79 Records must be made in a book/diary with consecutively numbered pages or in an appropriate electronic format. Where the records are kept electronically, they must be in an identifiable and secure format and must be capable of being reproduced in printed format at the request of an authorised officer of the Council or a police officer. Complaint records must be made available, upon request, to any authorised officer of the Council or police officer and may be used to assist officers in the investigation of complaints.

1.80 An operator or an appointed representative from within the business must, as soon as reasonably practicable, investigate any complaint. The complainant must be kept informed and notified when the investigation has been concluded.

1.81 An operator must notify the Council immediately when a driver is suspended from undertaking a home to school contact by a local authority's passenger transport team.

1.82 An operator must when investigating a complaint concerning a private hire contract, or purported contract, relating to, or arising from their business, make it clear to the complainant of their right to forward their complaint to the Council.

1.83 Where a complaint is received by the Council, the operator must comply with any reasonable request for information and/or follow any reasonable directions/instructions made by an authorised officer or police officer in respect of the complaint.

Change of operator's business address

1.84 An operator must not commence operating from a new business address without first consulting the Council as to the legal implications of such a change of address.

1.85 An operator must notify the Council, in writing, of the sale of their business within 7 days of such an event taking place.

Change of particulars

1.86 Operators must notify the Council, in writing, of any change in their home address which may occur during the currency of their licence. Any such change must be notified within 7 days.

1.87 Operators must notify the Council, in writing, of any change to its office address registered with Companies House which may occur during the currency of their licence. Any such change must be notified within 7 days.

1.88 Where the licence is held in the name of a limited company, operators must notify the Council, in writing, when the limited company is dissolved with Companies House. Any such change must be notified within 7 days.

1.89 Operators must notify the Council, in writing, of any change of partners, directors/company secretaries which may occur during the currency of their licence. Any such change must be notified within 7 days.

1.90 Where a new partner or director is proposed, the new partner or director must provide a basic criminal record disclosure from the Disclosure and Barring Service, unless the partner or director is the holder of a hackney carriage and private hire driver licence or

private hire operator licence issued by Shropshire Council (applicants can apply to https://www.gov.uk/request-copy-criminal-record). A basic criminal record disclosure will only be accepted by the Council within three months of the date of issue from the Disclosure and Barring Service.

1.91 Operators must notify the Council, in writing, of any change to the operators trading name as listed on the private hire operator licence which may occur during the currency of their licence. Any such change must be notified within 7 days.

Use of the words 'taxi', 'cab and 'hire'

1.92 No operator shall cause or permit any information, advertisement, images or other material to be displayed in respect of their business in or on their private hire vehicles used for that purpose the words 'taxi' or 'cab' in the singular or plural or 'hire' unless the word 'hire' forms part of the company name or any word or similar meaning (e.g. 'kab') or appearance to any of these words, whether alone or as part of another word.

Use of information on, in and from a licensed hackney carriage and private hire vehicle

1.93 Information, advertisements, images and other material must comply with the relevant requirements as set out in **Appendix L** of the Council's Policy.

1.94 Any advertising of the operator's business, no matter in what form, shall include the operator's name and/or trade name as approved by the Council in accordance with the name entered on the operator's licence issued by the Council.

1.95 An operator must not permit advertising of their business on any vehicle without the prior written permission of the Council.

1.96 Any change to an operator's advertising/promotion must comply with the conditions set out in **Appendix L**. This is subject to prior written approval from the Council.

1.97 No operator shall permit any telephone number to be advertised on any private hire vehicle except the telephone number approved in the private hire operator licence.

1.98 No operator shall permit any vehicle to be advertised as an 'executive vehicle' or 'executive travel' unless the vehicle is licensed as an executive private hire vehicle by the Council.

Closed circuit television (CCTV)

1.99 Operators wishing to install closed circuit television (CCTV) in premises where passengers have access to make bookings or wait must notify the Council, in writing, of their intention to do so.

1.100 The CCTV system must be installed in accordance with the appropriate legal framework.

1.101 Where CCTV is fitted, operators must maintain a valid registration with the Information Commissioners Office (ICO) throughout the duration of the licence or until such a time as the CCTV has been removed from the premises.

1.102 Where a CCTV system is removed from the premises, operators must notify the Council, in writing, within 7 days.

Lost Property

1.103 Operators must have a lost property policy that sets out the operator's position in relations to the process that all private hire drivers, managers, office based administrative and telephony staff and agency staff must follow when dealing with lost property. The lost property policy must include retention periods and how the property was disposed of.

1.104 Operators must keep and maintain at their licensed premises a record of lost property detailing the date and time, the item found, the vehicle details and action taken to return the item to the rightful owner, to the police or disposal.

1.105 Where licensed drivers of private hire vehicles have handed property belonging to passengers to their operator or an operator finds such property themselves, an operator must take the necessary steps to establish the identity of the owner of the property. If, however, the operator is not able to establish the identity of the owner, any property of high value or that contains a serial number should be handed into the police.

Transporting children

1.106 Operators must take steps to ensure their drivers understand and inform parents/carers that the decision to permit children to travel in the vehicle, without the correctly sized seat restraints (as permitted by relevant legislation) and with the obvious risks associated with such an action, remains with the parent/carer responsible for the children and not with the driver of the vehicle.

Meters

1.107 Whilst the fitting of meters is not mandatory in private hire vehicles, if meters are fitted, then the following conditions apply:

- The meter must be set to reflect the current private hire operator's tariff.
- The operator must notify the Council, in writing, at least 7 days prior to any proposed change to the private hire operator's tariff. A copy of the proposed tariff and a schedule of any affected vehicles must be provided with the notice.
- Where there is a change to the private hire operator's tariff all vehicles with meters fitted must have their meters re-calibrated to the new tariff and the meter checked against a measured distance before the vehicle can recommence private hire work.
- The proprietor of the vehicle must provide a valid certificate/report of compliance to the Council within 72 hours of the new private hire operator's tariff coming into effect, confirming the date the meter was calibrated to the new tariff.

Insurance

1.108 Operators must ensure that at all times there is in force, for all private hire vehicles operated, a policy of insurance covering the carriage of passengers for hire or reward by pre-booking only or such security as complies with the requirements of Part VI of the Road Traffic Act 1988.

1.109 Any premises that provide access to members of the public must be covered by Public Liability insurance for a minimum of £5,000,000. The operator must also obtain information as to any requirement for them to have Employers Liability indemnity; if there is such a requirement it must be for a minimum of £5,000,000.

1.110 Operators must ensure that where a vehicle is covered under a fleet insurance policy, drivers are aware of the content of the policy, including its limitations and exclusions. The operator must keep a record, signed by the driver, within each individual's record file when this has been completed. A copy of any individual's records must be produced, on request, to any authorised officer of the Council.

MOT

1.111 Operators must ensure that at all times there is in force, for all private hire vehicles operated, a valid MOT issued in accordance with the requirements set out at paragraph 3c.69 of the Hackney Carriage and Private Hire Licensing Policy 2023-2027.

Damage to vehicles

1.112 Operators must notify the Council within 48 hours of notification by a driver or proprietor of the occurrence of any accident/damage to a private hire vehicle under their control that materially affects the safety, performance or appearance of the vehicle, or the comfort or convenience of persons carried therein and provide photographic evidence of the damage when requested by the Council.

APPENDIX H

PLYING FOR HIRE

PLYING FOR HIRE

1.0 Only licensed hackney carriages are permitted to ply for hire. It is ILLEGAL for a private hire vehicle to ply for hire. This means:

a) Private hire vehicles MUST NOT carry passengers if the journey has not been pre-booked with a private hire operator by the passenger.
b) All private hire vehicle journeys MUST be pre-booked through a licensed private hire operator.
c) All bookings MUST be made by prospective passengers themselves directly with a private hire operator who will despatch the vehicle. Prospective passengers may instruct a third party, e.g. a restaurant manager, to make a booking on their behalf but this third party MUST NOT be the private hire vehicle driver.
d) A driver of a private hire vehicle is NOT permitted to make the booking on behalf of a prospective passenger, e.g., via their radio or mobile telephone.
e) Private hire operators MUST NOT accept any booking made by a driver on behalf of a passenger.
f) Private hire vehicle drivers are NOT permitted to make their vehicles available for immediate hire. This means that private hire vehicle drivers MUST NOT physically position their vehicles in such a way as to be waiting in any area that is on view to the public to invite custom, e.g., allowing prospective customers to approach the vehicle and ask, 'Are you free?'
g) In most cases, the vehicle will not be insured during a journey that has not been correctly pre-booked.
h) Private hire vehicles MUST NOT wait at any taxi rank/stand.
i) Private hire vehicle MUST NOT be hailed in the street.

1.1 Other circumstances may constitute unlawful 'plying for hire'; accordingly, each case of allegedly unlawful 'plying for hire' will be judged on its own facts. Nevertheless, attention is drawn to the Council's position as set out above.

1.2 Further information about the relevant legislation is available in the Town Police Clauses Act 1847, in particular Section 45, and in Part II of the Local Government (Miscellaneous Provisions) Act 1976, in particular Section 64.

APPENDIX I

GUIDANCE TO DETERMINING THE SUITABILITY OF APPLICANTS INCLUDING THE RELEVANCE OF CRIMINAL CONVICTIONS AND CAUTIONS

GUIDANCE TO DETERMINING THE SUITABILITY OF APPLICANTS INCLUDING THE RELEVANCE OF CRIMINAL CONVICTIONS AND CAUTIONS

Introduction

1.0 The purpose of this appendix is to provide additional guidance to determine whether or not an applicant or an existing licence holder is a fit and proper person to hold a hackney carriage driver licence, private hire driver licence, hackney carriage vehicle licence, private hire vehicle licence and/or a private hire operator licence. Where appropriate, any reference to 'applicant' is deemed to include existing licence holders. In respect of proprietors and operators 'applicant' also includes any partners, directors/company secretaries.

1.1 The guidance has been produced to assist the Council in its decision-making and to maintain the consistency of the decisions made. It has also been formulated to provide clearer information to current and potential applicants, with a view to minimising the cost and time spent on the licensing process by both the Council and the applicant.

1.2 When assessing the fitness of an applicant to hold a licence, the Council will consider the applicant's entire character and criminal history as a whole, together with all other relevant evidence, information and intelligence including their history (e.g., complaints and positive comments from the public, compliance with licence conditions and willingness to co-operate with licensing officers) whilst holding a licence from the Council or any other authority. Particular attention will be given to patterns of behaviour, irrespective of the timescale over which they have occurred, both in terms of proven criminal offences and other behaviour/conduct that may indicate the safety and welfare of the public may be at risk from the applicant.

1.3 It must also be recognised that the Council will consider all criminal history, behaviour and conduct irrespective of whether the specific history, behaviour or conduct occurred whilst the applicant was directly engaged in hackney carriage or private hire licensed work at the time or whether they occurred during the applicants own personal time.

1.4 Applicants are expected to demonstrate appropriate professional conduct at all times, whether in the context of their work or otherwise. Applicants should be courteous, avoid confrontation, not be abusive or exhibit prejudice in any way. In no circumstances should applicants take the law into their own hands. Applicants are expected to act with integrity and demonstrate conduct befitting the trust that is placed in them.

1.5 For the purposes of this Policy, driving endorsements is the term used for all driving convictions.

1.6 The aim of the guidance is not to punish the applicant twice for a conviction or caution but to ensure that public safety is not compromised. The Council cannot review the merits of any conviction.

1.7 Each case is to be decided on its own individual merits and when making a decision will determine what action is appropriate and proportionate to the circumstances of the case. Where the circumstances demand, the decision-making body may depart from the guidance in which case the reasons for this will be made clear.

Legislation

1.8 Sections 51, 55 and 59 of the Local Government (Miscellaneous Provisions) Act 1976 sets out that the Council must not grant a driver licence or an operator licence unless they are satisfied that the person is a **fit and proper person** to hold such a licence.

1.9 Section 61 of the Local Government (Miscellaneous Provisions) Act 1976 allows the Council to suspend, revoke or refuse to renew a driver's licence if they have, since the grant of the licence, been convicted of an offence involving dishonesty, indecency or violence; or been convicted of an offence under or failed to comply with the provisions of the Town Police Clauses Act 1847 or Part II of the Local Government (Miscellaneous Provisions) Act 1976, been convicted of an immigration offence or required to pay an immigration penalty; or any other reasonable cause.

1.10 Section 62 of the Local Government (Miscellaneous Provisions) Act 1976 allows the Council to suspend, revoke or refuse to renew an operator's licence if they have committed any offence under, or failed to comply with, the provisions of Part II of the Act; where any conduct appears to render the operator unfit to hold a licence; any material change since the licence was granted in any of the circumstances of the operator on the basis of which the licence was granted; or any other reasonable cause.

1.11 Therefore, the wording of the legislation makes it clear that the Council may grant a licence ONLY if it is satisfied that the person is fit and proper; the onus is on the applicant to prove this, NOT the Council to demonstrate that they are not.

1.12 Section 37 of the Town Police Clauses Act 1847 and section 48 the Local Government (Miscellaneous Provisions) Act 1976 do not set out specific criteria to determine the suitability of an applicant for a hackney carriage or private hire vehicle licence, the Council has the absolute discretion. The Policy sets out the Council's position in this regard.

Defining a 'fit and proper person'

1.13 There is no legal definition as to what definitively constitutes a 'fit and proper person'. However, because of the potential vulnerability of the passengers that drivers, proprietors and operators may come into contact with and who they have significant control over, e.g. elderly people, unaccompanied children, the disabled, those who may have consumed excessive quantities of alcohol, lone females and foreign visitors, it is incumbent on the Council to take a very robust stance when deciding whether a person is fit and proper to hold a licence granted by the Council and not a person who would take advantage of their employment to abuse or assault passengers.

1.14 In essence, a fit and proper person:

- Is honest and trustworthy – drivers, proprietors and operators have, for example, access to a large amount of personal information that could be misused and significant opportunities to defraud drunken, vulnerable or foreign people or to steal property left in cars. Conversely, a failure by a licence holder to disclose an arrest might be seen as behaviour that questions honesty and, therefore, the suitability of the licence holder regardless of the outcome of the initial allegation.
- Is not abusive, violent, threatening, intimidating, prejudiced or discriminatory against persons, property, animals or the State – this includes situations where the victim is put in fear, alarm or distress without any physical contact. Exhibiting abusive, violent, threatening, prejudiced or discriminatory behaviour in any way, including

online or on social media, is not acceptable conduct on the part of a driver/operator even when they are subjected to unpleasant or dishonest passenger behaviour.

- Will not be involved in or connected to any form of illegal sexual activity or any form of indecency.
- Will not abuse, exploit, misuse or maltreat another individual irrespective of whether the individual is an adult or a child – this includes, but is not limited to, hate crime, slavery, child sexual exploitation, grooming and psychological, emotional or financial abuse and stalking without violence.
- Will not demonstrate behaviours which are considered repeated and predatory in nature.
- Will not be involved in or have convictions for a public order offence or similar that is not in itself an act of violence.
- Will not engage in activities that intend or does result in the death or serious injury of another person.
- Will not be in illegal possession of any weapon or commit any other weapon related offence.
- Will not be involved in or linked to acts of terrorism.
- Does not manufacture, supply or possess controlled drugs. Will not use or permit their licensed vehicle to be used or connected with the use of any illegal activity – licensed vehicles are seen in any location across the country, at all times of the day and night. Therefore, licensed vehicles could provide a transportation system for illegal activities or any form of contraband, whether that is drugs, guns, illicit alcohol or tobacco, or people who are involved in or are the victims of illegal activity, or children who may be at risk of being, or are being, abused or exploited.
- Is in good physical and mental health, not under the influence of drugs or alcohol – to ensure they do not put passengers at risk through, for example, suffering a heart attack or diabetic hypoglycaemic incident, whilst conveying passengers.
- Will not have any indications of alcohol or drug abuse, misuse or dependency – where there are indications of a medical problem associated with possible abuse, misuse of, or dependence on alcohol or drugs, the applicant will be subject to additional medical testing or assessment.
- Is competent and safe - they are expected to act in a professional manner and must be fully aware of all relevant licensing legislation, road traffic legislation, conditions attached to their licence, the safety of their passengers and the safety of their vehicles at all times; passengers rely on their driver to get them to their destination safely and using the most direct route, therefore, a good knowledge of the area that they are working in is also appropriate.
- Is able to communicate effectively with passengers – this means able to read, speak, write and understand English and use appropriate language whilst communicating with passengers.
- Is able to communicate effectively with disabled passengers when providing assistance – a driver must be able to understand a disabled persons needs by asking passengers what help they need, to listen to and understand the response and to act on what they have been asked to do, seeking clarification where necessary, on how to provide what is needed.
- Will not abuse their position of trust – applicants are expected to be respectful, act with integrity and demonstrate considerate, courteous and civil conduct befitting the trust that is placed in them, this includes, but is not limited to, not asking customers for their contact details, not asking personal or intimate questions, not having inappropriate conversations or demonstrating inappropriate behaviour and not having inappropriate physical contact with passengers or invading their personal space. Applicants must not use passengers personal information which has been obtained whilst undertaking hackney carriage or private hire work for their own

personal use, e.g., contacting customers through social media, text messaging, home addresses, etc.

1.15 The bullet points listed above are not exhaustive and are used to illustrate some of the behaviours the Council will consider.

1.16 Licensed drivers and private hire operators and proprietors of licensed vehicles provide a public service and all impact directly on public safety. On this basis, the Council will not licence anyone to drive a hackney carriage or private hire vehicle or act as a private hire operator or licence a vehicle unless it is satisfied that the driver, operator or vehicle proprietor respectively meet **all** relevant criteria to be deemed a fit and proper person.

1.17 In addition, an important element associated with the fitness to hold a licence is the appearance and behaviour of anyone who holds a licence. Consequently, the Council requires all licensed drivers, private hire operators and vehicle proprietors to maintain a reasonable standard of appearance and behaviour when in contact and dealing with all persons, including but not limited to, other road users, pedestrians, customers, the general public, other licensed operators and drivers of hackney carriage and private hire vehicles, Council officers and elected members at all times.

1.18 Applicants and licence holders must also co-operate with any reasonable request made by an authorised officer of the Council, Civil Enforcement Officers or any police officer.

Hackney carriage and private hire drivers

1.19 In considering the fit and proper person test all applicants on initial application and renewal must complete an enhanced Disclosure and Barring Service (DBS) check. The Council will also make additional enquiries through the national register for hackney carriage and private hire licence revocations, refusals and suspensions (or equivalent if this is replaced), its adults and children's social care teams, directly with West Mercia Police (and other relevant police forces, where appropriate), other relevant local authorities (particularly Telford & Wrekin Council and City of Wolverhampton Council) and any other appropriate organisation, agency or person in order to ensure the Council is in a position to make as accurate an assessment of the applicant's fitness to hold a licence as is reasonably practicable.

1.20 With specific reference to existing licence holders, where there is any cause for a licence to be reviewed, the Council will make additional enquiries through the national register for hackney carriage and private hire licence revocations, refusals and suspensions (or equivalent if this is replaced), its adults and children's social care teams, directly with West Mercia Police (and other relevant police forces, where appropriate), other relevant local authorities (particularly Telford & Wrekin Council and City of Wolverhampton Council) and any other appropriate organisation, agency or person in order to ensure the Council is in a position to make as accurate an assessment of the licence holders fitness to hold a licence as is reasonably practicable.

1.21 The Council may request the licence holder to consent to a further enhanced DBS check the cost of which lies with the licence holder. This includes where the DBS Update Service reveals that there is a change to the status of the DBS certificate. Where a licence holder refuses to consent to a further check the Council will take this into consideration in determining their continuing fitness to hold a licence.

1.22 Where an applicant or an existing hackney carriage and private hire driver has had their licence refused or revoked the details will be recorded on the national register for hackney

carriage and private hire licence revocations, refusals and suspensions (or equivalent if this is replaced). Furthermore, where the Council deems it necessary it will notify any relevant authorities or appropriate organisations of the reasons for refusal or revocation.

Vehicle proprietors

1.23 In considering the fit and proper person test, all applicants on initial application must provide a basic criminal record disclosure from the Disclosure and Barring Service (for partnerships or companies, the requirements apply to all partners and directors/company secretaries) disclosure that has been issued by the Disclosure and Barring Service within the previous three months of the date that the application is received by the Council. All applicants on renewal must provide a basic criminal record disclosure that has been issued by the Disclosure and Barring Service within the previous 12 months of the date that the application is received by the Council. On new and renewal applications the Council will also make additional enquiries through its adults and children's social care teams, directly with West Mercia Police (and other relevant police forces, where appropriate), other relevant local authorities (particularly Telford & Wrekin Council and City of Wolverhampton Council) and any other appropriate organisation, agency or person in order to ensure the Council is in a position to make as accurate an assessment of the applicant's fitness to hold a licence as is reasonably practicable.

1.24 With specific reference to existing licence holders, where there is any cause for a licence to be reviewed, the Council will make additional enquiries through its adults and children's social care teams, directly with West Mercia Police (and other relevant police forces, where appropriate), other relevant local authorities (particularly Telford & Wrekin Council and City of Wolverhampton Council) and any other appropriate organisation, agency or person in order to ensure the Council is in a position to make as accurate an assessment of the licence holders fitness to hold a licence as is reasonably practicable. Depending on the circumstances of the case, the Council may request the licence holder to consent to a further basic criminal record disclosure, the cost of which lies with the licence holder. Where a licence holder refuses to consent to a further check the Council will take this into consideration in determining their continuing fitness to hold a licence.

Private hire operators

1.25 In considering the fit and proper person test, all applicants, on initial application must provide a basic criminal record disclosure from the Disclosure and Barring Service (for partnerships or companies, the requirements apply to all partners and directors/company secretaries) that has been issued by the Disclosure and Barring Service within the previous three months of the date that the application is received by the Council. All applicants on renewal must provide a basic criminal record disclosure that has been issued by the Disclosure and Barring Service within the previous 12 months of the date that the application is received by the Council. On new and renewal applications the Council will also make additional enquiries through its adults and children's social care teams, directly with West Mercia Police (and other relevant police forces, where appropriate), other relevant local authorities (particularly Telford & Wrekin Council and City of Wolverhampton Council) and any other appropriate organisation, agency or person in order to ensure the Council is in a position to make as accurate an assessment of the applicant's fitness to hold a licence as is reasonably practicable.

1.26 With specific reference to existing licence holders, where there is any cause for a licence to be reviewed, the Council will make additional enquiries through its adults and children's social care teams, directly with West Mercia Police (and other relevant police forces, where appropriate), other relevant local authorities (particularly Telford & Wrekin Council and City

of Wolverhampton Council) and any other appropriate organisation, agency or person in order to ensure the Council is in a position to make as accurate an assessment of the licence holders fitness to hold a licence as is reasonably practicable. Depending on the circumstances of the case, the Council may request the licence holder to consent to a further basic criminal record disclosure, the cost of which lies with the licence holder. Where a licence holder refuses to consent to a further check the Council will take this into consideration in determining their continuing fitness to hold a licence.

The Council's approach when considering convictions

1.27 The disclosure of any convictions or cautions will not necessarily mean an applicant is not a fit and proper person and, therefore, automatically prevented from being issued a licence.

1.28 Hackney carriage and private hire drivers are required to undertake an enhanced criminal record disclosure (DBS check) and due to the nature of the occupation such drivers are deemed to be an exempt occupation under the provisions of the Rehabilitation of Offenders Act 1974 (by virtue of the amended Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975).

1.29 The effect of this, in relation to hackney carriage and private hire drivers, is to render the Rehabilitation of Offenders Act 1974 inapplicable and therefore convictions are deemed never to be spent unless they are considered a protected conviction or caution. As a result, all convictions, including cautions, which are not protected will be taken into account when considering a person's suitability to hold a driver licence. Consequently, applicants are required to provide details of **all** unprotected convictions and cautions, including driving endorsements (driving convictions) and disqualification periods relating to traffic offences.

1.30 Proprietors and private hire operators are required to undertake a basic criminal record disclosure (DBS check). As a result, all unspent convictions and cautions will be taken into account when considering a person's suitability to hold a proprietor or private hire operator licence.

1.31 A refusal to licence an individual as a hackney carriage/private hire driver or to suspend or revoke a hackney carriage/private hire driver licence does not automatically mean that that individual cannot be issued or continue to hold a vehicle or private hire operator licence. Officers with delegated authority will make a decision based on the appropriate information in accordance with the table set out at 1.33 below.

1.32 The Council will have regard to all unprotected convictions and cautions, and unspent convictions and cautions, as set out in tables 1.33 and 1.34 below, and they will be assessed accordingly. Consideration will be given, but not restricted to, the following:

- How relevant the offence(s) are to the licence being applied for
- How serious the offence (s) were
- When the offence(s) were committed
- The date of conviction
- The extent of any mitigating factors
- Sentence imposed by the court
- The applicants age at the time of conviction
- Whether the offence(s) form part of a pattern of offending or indicate a pattern of unacceptable behaviour
- Any other character check considered reasonable, e.g., personal references
- Any other factor that may be relevant

Convictions and cautions that need to be disclosed

1.33 The table below sets out the conviction and caution information the Council can request and which you are required to disclose:

	Unspent convictions and cautions	Unprotected convictions and cautions	Protected* spent convictions and cautions
Hackney carriage/private hire drivers	Yes	Yes	No
Hackney carriage/private hire vehicle proprietors	Yes	No	No
Private hire operators	Yes	No	No

***Protected spent convictions and cautions include but are not restricted to youth reprimands, warnings and cautions**

1.34 In addition, any spent convictions and cautions must be disclosed if they meet the circumstances described in the table below:

Disposal	Age when given/sentenced	How long since given/sentences?
Caution for specified offence*	18 or over	Any time
Caution for a non-specified offence	18 or over	Less than 6 years
Conviction for specified offence*	Any age	Any time
Conviction resulting in custodial sentence	Any age	Any time
Conviction for non-specified offence	18 or over	Less than 11 years
	Under 18	Less than 5½ years

*** A specified offence is one which is serious and which relates to sexual offending, violent offending and/or are relevant to safeguarding children and vulnerable adults. The full list of these specified offences can be found on the DBS website. https://www.gov.uk/government/publications/filtering-rules-for-criminal-record-check-certificates**

NB Any other caution or conviction which does not meet the details set out in the table, such as spent youth reprimands, warnings and cautions, is considered protected.

The Council's approach when considering non-conviction information

1.35 An applicant's previous behaviour and their potential to cause harm as a result of the choices they have made plays a significant part when making a decision as to whether an applicant is a fit and proper person to hold a licence. Consideration will be given, but not restricted to, the following:

- Circumstances surrounding the behaviour demonstrated
- When the behaviour was demonstrated
- The extent of any mitigating factors
- Steps taken to address any issues identified
- An applicant or existing licence holder's ability to sustain the required behavioural change
- The applicants age at the time the behaviour was demonstrated
- Whether the behaviour forms part of a pattern of unacceptable behaviour
- Any other character check considered reasonable, e.g., personal references
- Any other factor that may be relevant

1.36 In addition to conviction/caution information, applicants are expected to provide details, within 48 hours of all warnings, driving endorsements (driving convictions)/disqualification periods relating to traffic offences, fixed penalties, penalty charge notices, community resolutions, non-molestation orders and any other similar sanctions, together with any charges or arrests (including any from outside the UK) that they are the subject of in connection with criminal offences, whether or not actually charged with the offence, and details of any allegations of involvement in criminal activity or where they have been questioned in connection with any alleged criminal activity or inappropriate/unacceptable behaviour or any other relevant pending matter.

1.37 Where an applicant is the subject of an outstanding charge or summons, their application may continue to be processed; however, depending on the circumstances, it is unlikely that a decision on the application will be made until the conclusion of the criminal proceedings. Where the outstanding charge or summons involves a serious offence and/or the individual's offending history and behaviour/conduct indicates a pattern of unlawful or unacceptable behaviour/character traits, then the application is likely to be refused.

1.38 Where there is evidence/information that an applicant has been arrested or charged but not convicted of offences, but the nature of this evidence/information suggests the applicant may not be a fit and proper person, the Council will give serious consideration to refusing an application or revoking an existing licence.

Fit and proper test

1.39 When considering an applicant's suitability to hold a hackney carriage/private hire driver licence**,** to guide the Council's consideration, the implications of the answer to the following question will be applied:

- Would I allow my daughter or son, granddaughter or grandson, spouse, mother or father, or any other person I care for or any vulnerable person I know, to get into a vehicle with this person alone?

1.40 When considering a vehicle proprietor's suitability to apply for and hold a hackney carriage or private hire vehicle licence, to guide the Council's consideration, the implications of the answer to the following question will be applied:

- Would I be comfortable allowing this person to have control of a licensed vehicle that can travel anywhere, at any time of the day or night without arousing suspicion, and be satisfied that he/she would not allow it to be used for criminal or other unacceptable purposes, and be confident that he/she would maintain it to an acceptable standard throughout the currency of the licence?

1.41 When considering an applicant's suitability to hold a private hire operator licence, to guide the Council's consideration, the implications of the answer to the following question will be applied:

- Would I be comfortable providing sensitive information such as holiday plans, movements of my family or other personal information to this person, and feel safe in the knowledge that such information will not be used inappropriately or passed on for criminal or unacceptable purposes?

1.42 If the Council has any doubts as to the fitness of an applicant/existing licensed driver, proprietor or operator then an application must be refused or licence suspended or revoked until those doubts can be effectively allayed through the provision of further adequate evidence.

1.43 If the applicant or holder of a licence has notified the Council of a conviction but is appealing against it to a higher court the matter will be referred to a meeting of the Licensing Panel or the Licensing & Safety Sub-committee for a decision as to whether the licence ought to be suspended or revoked.

Patterns of behaviour

1.44 A series of offences or a pattern of behaviour/conduct over a period of time is more likely to give cause for concern than an isolated conviction/incident. However, that is not to say that an isolated conviction/incident cannot give cause for concern in its own right, particularly where it relates to a serious matter. In such circumstances, the Council will give significant consideration to refusing to grant a licence or to suspending and/or revoking an existing licence.

1.45 A serious view will always be taken where an applicant shows any tendency towards criminal and/or unacceptable/inappropriate behaviour patterns. In such instances, the Council is unlikely to consider such an applicant/existing licence holder to be a fit and proper person to hold a licence and will give significant consideration to refusing to grant a licence or to suspending/revoking an existing licence.

Rehabilitation periods

1.46 Detailed guidance (effective March 2014) on the Rehabilitation of Offenders Act 1974 is available on the GOV.UK website at https://www.gov.uk/government/publications/new-guidance-on-the-rehabilitation-of-offenders-act-1974

1.47 The Rehabilitation of Offenders Act 1974 applies to everyone convicted of a criminal offence or a service disciplinary offence (for example absence without leave) by either a civilian court (in the cases of criminal offences) or a Service Court or the Commanding Officer (in the cases of criminal or Service disciplinary offences). The same rehabilitation periods apply to sentences which are imposed in the service justice system as are imposed by the civilian justice system (for example a fine imposed by a Magistrates' Court and a fine imposed by a Court Martial, would each have the same rehabilitation period of a year beginning with the date of conviction).

1.48 A person with a conviction for an offence need not be automatically barred from obtaining a licence. However, they would be expected to remain free of conviction for an appropriate period of time (as set out in Tables A, B and C below) and demonstrate adequate evidence that they are a fit and proper person to hold a licence. The onus is on the person to produce such evidence.

1.49 The specific periods of rehabilitation are not intended to be taken as definitive time periods by which an applicant/existing licence holder is automatically granted a licence simply on the basis that the rehabilitation period has elapsed. Rather they are intended to give parameters for consideration when taken with the overall history of an applicant/existing licence holder in order to assist the Council to determine whether an applicant/existing licence holder is a fit and proper person or not. The rehabilitation periods will not be considered in isolation.

1.50 Unless significant and exceptional circumstances apply, the Council will not grant a licence to an applicant who has been convicted of or connected with:

- Illegal sexual activity, any form of indecency or obscene materials.
- An offence resulting in death of another person or was intended to cause the death or serious injury of another person.
- An offence of violence against a child or vulnerable adult.
- Any crime involving or related to or has any connection with abuse, exploitation, use or treatment or criminal harassment of another individual irrespective of whether the victim or victims were adults or children. This includes but is not restricted to slavery, child sexual exploitation, grooming, psychological, emotional or financial abuse and stalking without violence.

1.51 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.

1.52 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. Shropshire Council is under a legal duty, under section 177 of the Police and Crime Act 2017, to have regard to the Standards. The Standards were developed to set-out a range of robust measures to protect taxi and private hire vehicle passengers, particularly those most vulnerable.

1.53 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, the requirements of the Standards (as set out in Table A below) will take precedence. Where the Standards do not apply, consideration will be given to the rehabilitation periods as set out by Rehabilitation of Offenders Act 1974 (as set out in Tables B and C below). Each application and review of an existing licence will continue to be determined on their own merits.

Table A – Statutory Taxi and Private Hire Vehicle Standards

Convictions	**Rehabilitation period** (applies from the end date of any sentence or driving disqualification period)
Offences involving violence against a person – A conviction for an offence of violence against the person, or connected with any offence of violence	10 years
Possession of a weapon - A conviction for possession of a weapon or any other weapon related offence	7 years
Dishonesty - A conviction for any offence where dishonesty is an element of the offence	7 years
Drugs - Any conviction for, or related to, the supply of drugs, or possession with intent to supply or connected with possession with intent	10 years
Drugs – A conviction for possession of drugs or related to the possession of drugs. 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	5 years

Discrimination – A conviction involving or connected with discrimination in any form	7 years
Drink driving/driving under the influence of drugs - A conviction for drink driving or driving under the influence of drugs. 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	7 years
Using a hand-held device whilst driving - A conviction for using a held-hand mobile telephone or a hand-held device whilst driving	5 years
Motoring convictions – Any other motoring convictions not listed in this table	No specific period has been identified*

***Rehabilitation periods for motoring convictions will be considered in accordance with the requirements of Table C below**

Table B - Rehabilitation of Offenders Act 1974

Sentence	**Rehabilitation period** (applies from the end date of the sentence, including any licence period)	**Rehabilitation period for for young people under 18 at the time of conviction or the time the disposal is administered** (applies from the end date of the sentence, including the licence period)
Custodial sentence***** of over 48 months, or a public protection sentence******	Never spent	Never spent
Custodial sentence***** of over 30 months and up to and including 48 months	7 years	3½ years
Custodial sentence***** of over 6 months and up to and including 30 months	4 years	2 years
Custodial sentence of 6 months or less	2 years	18 months
Community order; Youth rehabilitation order	1 year	6 months

*****Custodial sentence includes both an immediate custodial sentence and a suspended sentence, a sentence of detention in a young offenders institution, a sentence of detention under section 91 of the Powers of Criminal Courts (Sentencing) Act 2000, a detention and training order, a sentence of youth custody, a sentence of corrective training and a sentence of Borstal training
******Public protection sentence means a sentence of imprisonment imposed for specified sexual and violent offences as set out in Schedule 15 of the Criminal Justice Act 2003. (Equivalent provisions of the Armed Forces Act 2006 are also applicable.)

Table C - Rehabilitation of Offenders Act 1974

Sentence	**Rehabilitation period** (applies from the date of conviction)	**Rehabilitation period for for young people under 18 at the time of conviction or the time the disposal is administered**
Endorsement for a road traffic offence imposed by the court or a FPN; or if a driving licence is revoked or refused on medical grounds by the DVLA (or other body responsible	5 years*****	2½ years*

for issuing the driving licence)		
Penalty points for a road traffic offence	3 years	3 years
Driving disqualification**	When the disqualification ceases to have effect	When the disqualification ceases to have effect
Community order or youth rehabilitation order with no specified end date	2 years	2 years
Fine	1 year	6 months
Conditional discharge	Period of the order	Period of the order
Absolute discharge	None	None
Conditional caution; Youth conditional caution	3 months or when the caution ceases to have effect if earlier	3 months
Simple caution; Youth caution	Spent immediately	Spent immediately
Compensation order	On the discharge of the order (i.e. when it is paid in full); individuals must obtain and retain proof of payment from the court	On the discharge of the order (i.e. when it is paid in full); individuals must obtain and retain proof of payment from the court
Binding over order; Attendance centre order; Hospital order (with our without a restriction order)	Period of the order	Period of the order
Referral order	Not available for adults	Period of the order
Reparation order	Not available for adults	None

***** Where a driving licence is revoked/refused on medical grounds by the DVLA (or other body), the Council will not grant a licence until medical proof of acceptable physical and mental fitness is provided.
******'Disqualified' – refers to the period of disqualification actually served in order to take account of the fact that a court may reduce the period of disqualification; an applicant must provide evidence to prove that the court agreed a reduction in the period of disqualification.

NB Simply remaining free of conviction will not generally be regarded as adequate evidence that a person is a fit and proper person.

1.54 Where a person does not satisfy the rehabilitation periods referred to in the tables above, then the Council will refuse to grant a new licence or revoke or suspend an existing licence until the applicant is in a position to satisfy them.

Disclosure and Barring Service – Duty to Refer

1.55 Shropshire Council has a duty under the Safeguarding Vulnerable Groups Act 2006, Sections 41 and 43, to refer a person to the DBS[22] where the person is a regulated activity provider and Shropshire Council have withdrawn permission for said person to engage in regulated activity, because the person has either:

- Harmed or poses a risk of harm to a child or vulnerable adult, or
- Satisfied the harm test, or

[22] Referral duty and power for local authorities and regulatory bodies - GOV.UK (www.gov.uk)

- Received a caution or conviction for a relevant offence.

1.56 The duty also applies if Shropshire Council would or might have withdrawn permission for a person to engage in regulated activity if the person has not otherwise ceased to engage in regulated activity. This includes situations where the person was re-deployed to a non-regulated activity role or resigned or retired

1.57 The duty to refer applies regardless of whether another body has made a referral in relation to the same person.

Licensing offences

1.58 In addition to the consideration of rehabilitation periods, where an existing licence holder is found guilty of hackney carriage or private hire related offences such as, but not restricted to plying for hire, over-charging, refusing to carry disabled persons, refusing to carry an assistance dog or multiple breaches of licence conditions, licence holders will be referred to a meeting of the Licensing Panel and/or the Licensing and Safety Sub-committee with a view to determining whether the licence ought to be suspended or revoked.

1.59 The Council considers hackney carriage or private hire related offences to be of a serious nature as they fundamentally pose a serious risk to public safety and undermine the licensing regime. As a result, unless significant exceptional circumstances apply, there will be a presumption that the licence of the driver who committed the offence will be revoked. In addition, where there is evidence that any private hire operator continues to employ drivers who are found to be plying for hire then serious consideration will also be given to revoking the private hire operator licence.

Regulatory non-compliance

1.60 Regulatory crimes include local authority offences and other offences prosecuted by other authorities. It also includes matters relating to the administration of justice such as failing to surrender to bail, and any other matters where regulations or requirements have been ignored or broken. These offences demonstrate a lack of compliance with legal requirements, and applicants/existing licence holders will be referred to a meeting of the Licensing Panel and/or the Licensing and Safety Sub-committee with a view to determining whether to refuse to grant a licence or to suspend or revoke an existing licence.

1.61 Drivers who commit parking, obstruction and other such motoring offences that do not attract penalty points are not displaying a professional approach to their work. Persistent offenders demonstrate a lack of compliance with legal requirements, and an applicant or existing licence holder will be referred to a meeting of the Licensing Panel and/or the Licensing and Safety Sub-committee with a view to determining whether to refuse to grant a licence or to suspend or revoke an existing licence.

Exceptional circumstances

1.62 Each application, review of a licence or request for a departure from the Policy will be decided on its merits. Where a person does not satisfy the requirements of the Policy there is a presumption that unless an applicant can demonstrate exceptional circumstances the Council will refuse to grant a new licence or revoke or suspend an existing licence. Whilst it is neither possible nor prudent to draw up a list of what might amount to exceptional circumstances, an applicant who claims that exceptional circumstances exist will be expected to be able to satisfy the Council that it would not

frustrate the purposes of the legislation or compromise public safety if the licence were granted, renewed, not suspended, not revoked, or any request for a departure from the Policy granted.

Right of appeal

1.63 Any applicant refused a driver, proprietor or operator licence on the grounds that they are not a fit and proper person to hold such a licence, or who has had their licence suspended or revoked or had a condition attached with which they disagree has a right of appeal by way of written complaint, to the Magistrates' Court[23] within 21 days of the notice of decision being served upon them.

1.64 Should an appeal be lodged by any applicant refused a driver, proprietor or operator licence on the grounds that they are not a fit and proper person to hold such a licence, or who has had their licence suspended or revoked, the onus is on the Council to prove that they are no longer a fit and proper person.

Conclusion

1.65 Any applicant having a previous or current conviction should not, in principle, debar them from obtaining a hackney carriage or private hire driver's licence, private hire vehicle proprietor's licence or operator's licence. However, previous convictions are a significant factor in the decision-making process, and it will inevitably be more difficult for such applicants to obtain a licence. It is this Council's policy to consider the protection of the public above all else by ensuring all licensed drivers, proprietors and operators are honest, will not be a threat to the public, are in good health, are safe and competent drivers and are able to maintain their vehicles to a safe standard. In doing so, the Council will focus on the background of an applicant as a whole and will not consider individual offences and their rehabilitation periods identified above in isolation from other factors, in particular patterns of unacceptable or inappropriate behaviour and conduct that may not necessarily be linked to proven convictions.

1.66 The Council will not consider the impact of hardship on the applicant and his family when making a determination on an application or reviewing an existing licence.[24]

[23] With the exception of an application for a new hackney carriage licence which has a right of appeal to Crown Court

[24] *Leeds City Council v Hussain* [2002] EWHC 1145 (Admin), [2003] RTR 199 and *Cherwell District Council v Anwar* [2011] EWHC 2943 (Admin)

APPENDIX J

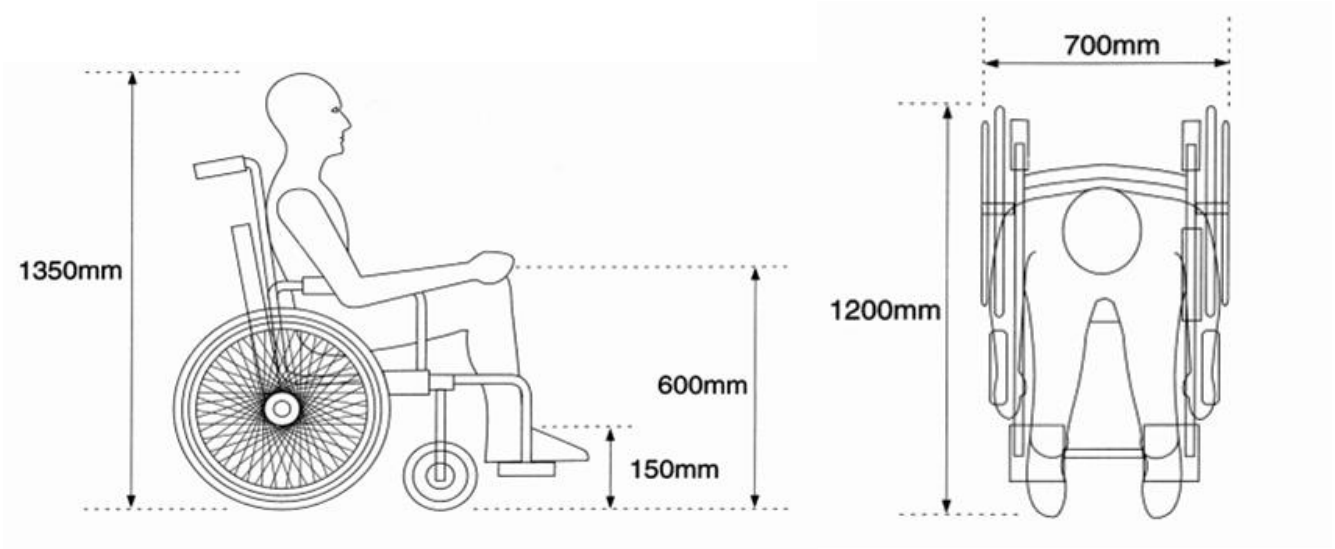
SPECIFICATIONS FOR A REFERENCE WHEELCHAIR

SPECIFICATION FOR A REFERENCE WHEELCHAIR

1.0 All wheelchair accessible vehicles must be capable of carrying at least one "reference wheelchair" and where the user of a reference wheelchair can enter, alight and travel in the passenger compartment in safety and reasonable comfort whilst remaining seated in their wheelchair.

1.1 As there are numerous shapes and sizes of wheelchair the Department for Transport consider a reference wheelchair to be as illustrated below[25]:

1.2 Proprietors are encouraged to consider wheelchair accessible vehicles which are capable of carrying wheelchairs larger than the reference size.



[25] As defined in Schedule 1 and 2 of the Public Service Vehicle Accessibility Regulations 2000

APPENDIX K

INTENDED USE AND LICENSING OF HACKNEY CARRIAGES

INTENDED USE AND LICENSING OF HACKNEY CARRIAGES

Reasons for Policy

1.0 The Council wishes to ensure that applications for the grant of hackney carriage licences are determined in accordance with the guidance given by the High Court in its judgment, and the declaration made in the case of Newcastle City Council v Berwick upon Tweed Council [2008].

Applications for the grant of a new hackney carriage licence

1.1 Applicants for new licences will be expected to demonstrate a bona fide intention to ply for hire within the administrative area of Shropshire Council under the terms of the licence for which application is being made.

1.2 There will be a presumption that applicants who do not intend to a material extent to ply for hire within the administrative area of Shropshire Council will not be granted a hackney carriage licence authorising them to do so. Each application will be decided on its individual merits.

1.3 Even where the applicant intends to ply for hire to a material extent in the administrative area of Shropshire Council, if the intention is to trade in another authority's area also for a substantial amount of time (and it appears that the purpose of the legislation and public safety will be frustrated) then, subject to the merits of the particular application, there will be a presumption that the application will be refused.

Applications for the renewal of a hackney carriage licence

1.4 Applicants for renewals of licences will be required to inform the Council whether they have a bona fide intention to ply for hire within the administrative area of Shropshire Council under the terms of the licence for which application is being made.

1.5 There will be a presumption that applicants who do not intend to a material extent to ply for hire within the administrative area of Shropshire Council will not be granted a hackney carriage licence authorising them to do so. Section 60 of Local Government (Miscellaneous Provisions) Act 1976 gives the Council a broad discretion to refuse to renew a licence for any reasonable cause. Each application will be decided on its merits.

1.6 Even where the applicant intends to ply for hire to a material extent in the administrative area of Shropshire Council, if the intention is to trade in another authority's area also for a substantial amount of time (and it appears that the purpose of the legislation and public safety will be frustrated) then, subject to the merits of the particular application, there will be a presumption that the application will be refused.

Transfer of ownership – when a licensed vehicle is transferred from one person to another

1.7 Section 49 of the Local Government (Miscellaneous Provisions) Act 1976 requires that the proprietor of the licensed vehicle who transfers his interest to another must, within 14 days of the transfer, give written notice to the Council of the name and address of the transferee

of the hackney carriage. The Council has no power to refuse to register the new proprietor: see R v Weymouth Borough Council, ex p Teletax (Weymouth) Ltd [1947] KB 583.

1.8 Provided requisite notice has been given in accordance with section 49 of the Local Government (Miscellaneous Provisions) Act 1976 the Council will register the transferee of a licensed hackney carriage as the new proprietor. This is a legal requirement.

1.9 The transferee of a licensed hackney carriage will be asked to inform the Council whether he has a bona fide intention to use the vehicle to ply for hire within the administrative area of Shropshire Council. In addition, where the transferee resides outside the administrative area of Shropshire Council, the transferee will be required to keep records of all pickups on the Shropshire Council approved record sheets, and these records shall be made available for inspection upon request. Transferees should note the obligation under section 73 of the Local Government (Miscellaneous Provisions) Act 1976 to give to an authorised officer information which may reasonably be required by him for the purpose of carrying out his functions under the legislation. Where there is a failure to provide the requested information or to keep the records, the Council will give serious consideration to exercising its powers of suspension of the licence under section 60 of the 1976 Act until such information is forthcoming, in addition to its powers under section 73.

1.10 Transferees of existing licences will be expected to have a bona fide intention to ply for hire within the administrative area of Shropshire Council under the terms of the licence in respect of the vehicle being transferred.

1.11 Where the transferee of a licensed hackney carriage is found to have no intention to ply for hire to a material extent within the administrative area of Shropshire Council and/or intends to trade in another authority's area also for a substantial amount of time (and it appears that the purpose of the legislation and public safety will be frustrated) then, subject to the merits of the particular case, consideration will be given (either at renewal or earlier) to the suspension or revocation of the licence under section 60 of the 1976 Act. Where the transferee proposes to operate remotely from the administrative area of Shropshire Council there will be a presumption that his licence will be revoked. Each case will be decided on its merits.

1.12 The Council is required to register the name of the new proprietor of a vehicle. It seems to the Council also to open up an obvious route to circumvent the decision of the High Court referred to in paragraph 1.0 above, unless precautionary steps are taken. The paragraphs in this section are intended to put the Council in a position to respond responsibly to the transfer of a Shropshire hackney carriage into the name of someone who operates outside the administrative area of Shropshire Council or remotely from it.

1.13 Unless there has been a change in the proprietor's intentions with regard to plying for hire within the administrative area of Shropshire Council, there should be no reason why he should not be granted a licence for a replacement vehicle. On the other hand, an applicant who obtained his first licence on the expressed intention of plying for hire to a material extent within the administrative area of Shropshire Council, and who on application to replace that vehicle with another discloses that he no longer so intends, effectively engages the presumption against grant that is mentioned earlier.

Change of vehicle – when a proprietor replaces a licensed vehicle

1.14 Applicants seeking the grant of hackney carriage licence for a vehicle intended to replace another licensed vehicle will be asked to inform the Council of their intended use of the vehicle. There will be a presumption that applicants who no longer intend to ply for hire to

a material extent within the administrative area of Shropshire Council will not have the new hackney carriage licence granted. Even where the applicant intends to ply for hire to a material extent in the administrative area of Shropshire, if the intention is to trade in another authority's area also for a substantial amount of time (and it appears that the purpose of the legislation and public safety will be frustrated) then, subject to the merits of the particular case, there will be a presumption that the application will be refused.

Revocation of licence

1.15 Where a licence has been granted under the terms that the applicant intends to ply for hire to a material extent within the administrative area of Shropshire Council but is subsequently found not to be plying for hire to a material extent in the administrative area of Shropshire Council and/or to be trading in another authority's area for a substantial amount of time (and it appears that the purpose of the legislation and public safety will be frustrated) there will be a presumption that the licence will be revoked.

Exceptional circumstances

1.16 Each application, review of a licence or request for a departure from the Policy will be decided on its merits. However, the presumptions that intended use is to ply for hire to a material extent within the administrative area of Shropshire Council will be rebuttable in exceptional circumstances. Whilst it is neither possible nor prudent to draw up a list of what might amount to exceptional circumstances, an applicant who claims that exceptional circumstances exist will be expected to be able to satisfy the Council that it would not frustrate the purposes of the legislation or compromise public safety if the licence were granted, renewed, not suspended, not revoked, or any request for a departure from the Policy granted.

APPENDIX L

USE OF INFORMATION ON AND IN RELATION TO HACKNEY CARRIAGES AND PRIVATE HIRE VEHICLES

USE OF INFORMATION ON, IN AND FROM A LICENSED HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE

1.0 Information in any form, including advertisements, images and other material, displayed on hackney carriages and private hire vehicles or contained in any advertising/promotion for a private hire operators business or in relation to any advertising/promotion for any other business offering a hackney carriage or private hire vehicle service will not be permitted by Shropshire Council if, in Shropshire Council's reasonable opinion, the information falls within any of the following categories:

a) Does not comply with the law or incites someone to break the law
b) Does not comply with the UK Code of Non-broadcast Advertising, Sales Promotion and Direct Marketing
c) Is likely to cause widespread or serious offence to members of the public on account of the nature of the product or service being advertised the wording or design of the advertisement or by way of inference
d) Depicts men, women or children in a sexual manner or displays nude or semi-nude figures in an overtly sexual context (**NB** whilst the use of underdressed people in most underwear advertising may be seen as an appropriate context, gratuitous use of an overtly sexual nature will be unacceptable)
e) Depicts or refers to indecency or obscenity or uses obscene or distasteful language including that set out in a foreign language
f) Relates to lap-dancing, 'gentlemen's clubs', escort agencies or massage parlour
g) Depicts direct or immediate violence to anyone shown in the advertisement
h) Condones or provokes anti-social behaviour
i) Contains images or messages, which relate to matters of public controversy and sensitivity
j) Refers to or portrays (or gives the impression of portraying) a living person unless the written consent of that person is obtained and is produced to Shropshire Council
k) Contains negative references to Shropshire Council's services or those services provided or regulated by other local authorities
l) Relates to a political party or parties or a political cause
m) Relates to or advertises alcohol or tobacco (this includes electronic cigarettes and vaping)
n) In the case of digital media, poses a health and safety risk as a result of flickering or other visual imagery
o) Depicts directly or indirectly any political, racial, cultural, sexual or potentially offensive language, symbols or emblems
p) Depicts directly or indirectly any mascots, notices, marks, numbers, letters, figures, symbols or emblems
q) Depicts directly or indirectly any reference to national flags or other flags/emblems, except the national flag of the United Kingdom, the Union Flag
r) Where the Union Flag is displayed, it is limited to one such flag in rectangular format with dimensions no greater than 210 mm x 297 mm (equivalent to A4 paper dimensions with landscape orientation) and positioned only on the bonnet of the vehicle

APPENDIX M

CONDITIONS APPLICABLE TO THE USE OF TRAILERS

CONDITIONS APPLICABLE TO THE USE OF TRAILERS

1.0 Drivers of vehicles towing trailers must ensure that they have the correct driving licence group to permit them to tow the relevant trailer, as per the DVLA guidance Requirements for Towing Trailers in Great Britain (INF30).

1.1 All trailers must be of a design that when attached to the towing vehicle does not interfere in any way the operation of any rear door/emergency exits or wheelchair access ramps.

1.2 The use of trailers is only permitted for pre-arranged journeys where passenger's luggage cannot be safely accommodated within the vehicle.

1.3 The licensed towing vehicle's insurance must cover the towing of a trailer.

1.4 Trailers must not be left unattended anywhere on the highway.

1.5 The speed restrictions applicable to trailers must be observed at all times.

1.6 A spare wheel for the trailer and adequate tools to change a wheel must be carried at all times by a licensed vehicle whilst towing a trailer.

1.7 The towing of a trailer by a licensed vehicle shall only permit the conveyance of luggage and belongings owned by a passenger whilst the vehicle is hired by a passenger within the vehicle.

1.8 The tow bar must comply with the type approval regulations in respect of all tow bars fitted to cars after August 1998.

1.9 Trailers must be inspected at initial licensing and annually thereafter by a 'Nominated Tester' or Authorised Vehicle Examiner at a Vehicle Testing Station appointed under The Road Traffic Act 1988; the cost of all tests must be met by the vehicle proprietor.

1.10 An additional plate will be issued by the Council for each vehicle licensed to tow trailers and the relevant plate must be affixed to the rear of the trailer near the vehicle number plate.

1.11 Un-braked trailers shall be less than 750 kg gross weight.

1.12 Trailers over 750 kg gross weight shall be braked acting on at least two road wheels.

1.13 The towing vehicle must have a kerb weight of at least twice the gross weight of the trailer.

1.14 A suitable lid or other approved means of enclosure shall be fitted to secure the contents within the trailer when in use and to keep it watertight.

1.15 The maximum permissible length of the trailer shall be 7 metres including the drawbar and coupling.

1.16 The width of the trailer shall not be greater than the towing vehicle subject to no trailer being wider than 2.3 metres.

1.17 The maximum length for braked twin axle trailers is 5.54 metres.

1.18 The trailer must at all times comply with all Road Traffic legislation requirements, in particular those as laid down in the Road Vehicles (Construction and Use) Regulations 1986.

1.19 The trailer shall not display any form of sign, information, advertisement, image or other material not required or approved by the Council or Road Traffic legislation.

Shropshire Council
Equality, Social Inclusion and Health Impact Assessment (ESHIA)
Stage One Screening Record 2026

Please note that part A and part B of this document should be completed.

A. Summary Sheet on Accountability and Actions

Name of proposed service change
Hackney Carriage and Private Hire Licensing Policy 2027 to 2031

Name of the officer carrying out the screening
Mandy Beever, Transactional Management and Licensing Team Manager

Decision, review, and monitoring

Decision	**Yes**	**No**
Initial (Stage One) ESHIA Only?	✓	
Proceed to Stage Two Full ESHIA or HIA (part two) Report?		✓

If completion of a Stage One screening assessment is an appropriate and proportionate action at this stage, please use the boxes above, and complete both part A and part B of of this template. If a Full or Stage Two report is required, please move on to full report stage once you have completed this initial screening assessment as a record of the considerations which you have given to this matter.

Assessment of likely neutral, negative impact or positive impact of the service change in terms of equality and social inclusion considerations
The Council has utilised the ESHIA in order to consider children and young people who are looked after by Shropshire Council and the families of children in need, as well as young people leaving care, when considering the Protected Characteristic grouping of 'Age', and with respect to adults with care and support needs, e.g. adults with learning disabilities, when considering the Protected Characteristic grouping of 'Disability'. For all the nine Protected Characteristic groupings, the impact is rated as low to medium positive; notably, with respect to 'age', 'disability', and 'sex', where the impact is anticipated as 'medium positive'. The impact is also rated as 'medium positive' for people for whom there are safeguarding concerns, given the greater ability of the Council to fully demonstrate that it robustly tackles exploitation, abuse, modern slavery and human trafficking of children and vulnerable adults, and the likely improvements overall to public safety under the proposed changes, bringing particular benefits for vulnerable households. As such, this relates to the

additional local groupings we seek to think about in Shropshire, in regard to the circumstances in which they find themselves. These are 'social inclusion', 'carers', and 'young people leaving care'. For our other local grouping of 'Veterans and Serving Members of the Armed Forces and their Families, for whom we seek to give due regard under armed forces legislation, the impact is considered to be low to medium positive.

Note, however, that except for 'age', 'disability', and 'sex', the impact is likely to be neutral – neither positive nor negative – with no anticipated need to take actions to mitigate or enhance the impact.

Applicants and licence holders, including any who may not already be aware of the revision of this policy, as a result of the consultation undertaken from the 6 April 2026 to the 28 June 2026, will be made aware of the implementation through normal licensing processes. The policy will be available on the Council's website and promoted through appropriate social media channels. This will ensure that the hackney carriage and private hire trades, together with the public and other relevant stakeholders, have ongoing access to the policy that clearly sets out the Council's expectations for applicants and licence holders over the next four years.

The policy makes the responsibilities of operators and drivers under the Department for Transport's Access to taxis and private hire vehicles for users with disabilities very clear. In addition to the requirements for the Council to publish a list of designated wheelchair accessible vehicles, the guidance goes further to set out what is expected of operators and drivers in relation to passengers with disabilities and the support that should be provided. The requirements have been put in place to include booking a licenced vehicle, identifying the vehicle which has been booked and the assistance which should be provided throughout their journey.

Proactive and visible enforcement of the requirements of the policy, in particular in relation to the conditions applicable to each licence type, together with the associated legislation, including the relevant provisions of the Equality Act 2010, will further enhance the positive impact of the changes made to the policy. Any complaints/information that indicate licensed drivers are breaching conditions of licence that impact on public safety or are discriminating against passengers with disabilities, will be fully investigated by the Trading Standards & Licensing Service. Where sufficient evidence exists and it is in line with the Council's Better Regulation and Enforcement Policy, legal proceedings will be pursued. Furthermore, the full range of licensing sanctions, including licence revocation, where this is proportionate, will be utilised. In addition, the Council has published a list of designated wheelchair accessible vehicles on its website, which will also enhance the positive impact of the changes to the policy.

Assessment of likely neutral, negative or positive impact of the service change in terms of health and wellbeing considerations

Transport has a significant impact on health and wellbeing. It is much more than simply getting from A to B; it is an enabler to get to work, school, shops, healthcare, social events and leisure activities, all of which are important for good physical and mental health and wellbeing. A good transport system, i.e., quality, appropriateness, adequacy and affordable infrastructure and services, is essential for a healthy and equitable society.

Public transport is a vital component of an effective, healthy and equitable transport system. However, the reduction in or lack of public transport services, especially in rural areas like Shropshire can have a negative impact on the access and opportunities available to population groups. Those most vulnerable and at risk from limited transport options and services are already experiencing health inequalities and include people with disabilities, children and young people, women, older people, people without a car, and low income groups. For example, evidence shows that people with disabilities use taxis more than those without a disability for essential journeys like healthcare and shopping, despite more of them living in relative poverty.[2] This is due to a lack of available services, service times and inaccessibility of the services available.[3]

Actions to review and monitor the impact of the service change in terms of equality, social inclusion, and health considerations

The policy will be formally reviewed after 3 years. However, it will be the subject of continuous evaluation and, if necessary, formally reviewed at any time. At the time of review all relevant stakeholders will again be consulted. Any driver, proprietor, operator or any other person may request a review of the policy at any time. This is made clear in the policy itself.

There will be ongoing dialogue with the trade through direct contact and 'Taxi Forums' or similar meetings that will provide the opportunity for the trade to provide feedback to the licensing team. A dedicated telephone number and email address is and will continue to be generally publicised on the Council's website for other stakeholders, including members of the public (both those with and without disabilities), to provide feedback on the impact of the changes made to the policy. In addition, these contacts, together with social media contacts, will be publicised in hackney carriage and private hire vehicles to encourage passengers to provide feedback to the Council. All feedback will be recorded either on the Idox/Uniform system used to administer the licensing regime or in appropriate electronic files maintained by the Licensing Team Manager.

[2] DfT. (2026). National Statistics: Taxi and private hire vehicle statistics, England: 202. Taxi and private hire vehicle statistics, England: 2026 - GOV.UK

[3] Cooper, E., Gates, S., Grollman, C., Mayer, M., Davis, B., Bankiewicz, U., Khambhaita, P. (2019). Transport, health, and wellbeing: An evidence review for the Department for Transport. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/847884/Transport__health_and_wellbeing.pdf

With respect to 'age' and 'disability' groups, in particular around the Council's safeguarding responsibilities, there will be ongoing dialogue, as required, with the Shropshire Children Safeguarding Board and the Keeping Adults Safe in Shropshire Board. In addition, dialogue with West Mercia Police and those service areas within the Council that have particular responsibilities for the care of children and young people and adults with care and support needs, i.e. currently Children Services and Adult Services, will occur as a result of the ongoing role that officers from these services play in the review process applicable to new licence applications and existing licences.

For the purposes of enhancing the administration and enforcement of the requirements of the policy, the licensing team will continue to work in partnership with all relevant local authorities, in particular with Telford & Wrekin Council and the City of Wolverhampton Council. This will include multi-agency enforcement exercises.

The licensing team will also continue to work with the trade, disability access groups and individuals with disabilities, including those who do not use wheelchairs, to further understand and address wider vehicle accessibility issues across both the hackney carriage and private hire fleets.

It is also the intention that managers and professional leads will continue to engage in hackney carriage and private hire licensing developments at a regional and national level. This will include responding to relevant consultations and participating in events/workshops to ensure that Shropshire Council's position and the impact on the local community and the trade of any national proposals to update, amend or change the hackney carriage and private hire licensing regimes are fully understood by Government before any legislative changes are implemented or guidance introduced.

Elected Member involvement will continue through the Strategic Licensing Committee and the Licensing & Safety Sub-Committee, with issues brought before these Committees as appropriate.

Associated ESHIAs

Hackney Carriage and Private Hire Licensing Policy 2015 – 2019 (ESIIA undertaken in 2014/15)

Amendment to the Hackney Carriage and Private Hire Licensing Policy 2015 – 2019 (ESIIA undertaken in February/March 2018)

Equality Act 2010 – Shropshire Council List of Designated Wheelchair Accessible Vehicles (ESIIA undertaken in May/June 2018)

Removal of the existing five hackney carriage ('taxi') zones ('the zones') in Shropshire and application of a single taxi licensing regime throughout the administrative area of Shropshire Council (ESIIA undertaken in June to December 2018)

Hackney Carriage and Private Hire Licensing Policy 2019 – 2023 (ESIIA undertaken in 2018/19)

Request for a Review of the Hackney Carriage Fare Card (Table of Fares) in Shropshire (ESIIA undertaken in 2022/23)

Hackney Carriage and Private Hire Licensing Policy 2023 – 2027 (ESIIA undertaken in 2022/23)

Assessment of likely neutral, negative or positive impact, and actions to review and monitor overall impacts, with regard to climate change impacts and with regard to economic and societal impacts

Climate change

A significant proportion of the feedback received from the trade related to the impact of the combination of vehicle emission standards and vehicle age-restrictions proposed under the policy. Significant concerns were raised around the additional financial burdens and the inability of drivers and proprietors to gain sufficient return on their investment when purchasing replacement vehicles. The overarching principles that aim to continue to reduce the adverse impact of vehicle emissions on both the environment and the health of people in our communities are retained.

In addition to the Council's corporate approach towards prioritising and measuring the overall outcomes that are set out The Shropshire Plan (The Improvement Plan | Shropshire Council Intranet), the Licensing Team will continue to utilise the expertise within Environmental Protection Team in Regulatory Services, Public Health, Climate Change and Economic Growth Teams to assess the impact, on both health and the environment, of the proposed shift in the vehicle requirements from an emission standards basis to one that is a combination of both emission standards and vehicle age-restrictions.

Economic and societal/wider community

There are known difficulties around providing adequate transport in rural areas and Shropshire is no exception. Hackney carriages (along with private hire vehicles, drivers and operators) are part of the transport solution in Shropshire, not only for general journeys but also to support the evening and night-time economy, including ensuring the public are transported home safely after nights out in our town centres. This also supports the Safer Streets project (Home Office funded),

which is currently underway in Shrewsbury (although the principles apply across the county) to mitigate perceived and actual risks of violence against women and girls, and which is hoped will also reduce the risk of individuals entering the River Severn, the majority of whom have been young men.

The policy aims to ensure that individual human rights are protected particularly in relation to Article 1, Protocol 1 - peaceful enjoyment of possessions (a licence is considered a possession in law and people should not be deprived of their possessions except in the public interest); Article 4 - prohibition of slavery and forced labour; Article 6 – right to a fair hearing; Article 7 - no punishment without law; Article 8 - respect for private and family life (in particular, removal or restriction of a licence may affect a person's private life); Article 10 - right to freedom of expression; and Article 14 - prohibition of discrimination. These rights are clearly referenced within the policy and it is made clear that officers and members of the relevant committees will have regard to these rights when determining applications for a licence and for renewals or reviews of a licence.

The policy states that the Council takes a zero-tolerance approach towards modern slavery (including servitude, forced and compulsory labour and human trafficking), on the basis that this is a crime and a violation of fundamental human rights, as well as strengthening the position that will be taken in relation to discrimination.

Ongoing promotion and compliance with the Council's Modern Anti-Slavery and Human Trafficking Statement and Policy will further enhance the overall positive impact of the revised Hackney Carriage and Private Hire Licencing Policy.

The policy complies with and exemplifies the Council's Public Sector Equality Duty by helping to eliminate discrimination, advance equality of opportunity and foster good relations between the hackney carriage and private hire trade, disability groups and individuals (particularly those who are wheelchair users), other stakeholders and the Council as it relates to their activities associated with transport options. This is further enhanced through the publishing of the Designated List of Wheelchair Accessible Vehicles in accordance with Sections 165 and 167 of the Equality Act 2010 and, through ongoing monitoring and updates to this list, will continue to benefit wheelchair users and their carers.

There is a risk that the policy may undermine local economic growth, insofar as the robust nature of the requirements and expectations that are placed on applicants and licence holders by the policy, are such that only those drivers, proprietors and operators who have financially sound business plans and legitimate business practices are likely to survive in the marketplace. However, the policy recognises the need to balance this against the duty placed on the Council to protect public safety and the environment. In this regard, it is imperative that only legitimate businesses are licensed by the Council and the Council does not legitimise criminal activities, including those undertaken by serious organised crime groups, through the licensing regime.

Scrutiny at Stage One screening stage

People involved	Signatures	Date
Lead officer for the proposed service change		28 August 2026
Officer carrying out the screening		28 August 2026
*External support** **Mrs Lois Dale, Senior Insights and Research EDI Specialist**		14/09/2026

This refers to support external to the service and within the Council, e.g., the Senior Insights and Research EDI specialist, the Integration & Inequalities Officer – Public Health, other Insights and Research or Public Health colleagues, the Feedback and Insight Team, Climate Change specialists, etc.

Sign off at Stage One screening stage

Name	Signatures	Date
Lead officer's name *Mandy Beever*		28 August 2026
Manager's name *Mandy Beever*		28 August 2026

This may either be the Head of Service or the lead officer

B. Detailed Screening Assessment

Aims of the service change and description
The Council's existing Hackney Carriage and Private Hire Licensing Policy came into effect on 1 April 2023 and is due to expire on 31 March 2027. It is essential that the Council has a revised policy from 1 April 2027 to ensure a robust framework continues to be in place to provide the basis upon which to deliver the Council's statutory hackney carriage and private hire licensing function, which is fundamental to protecting public safety.

The policy requires updating to take into account the changes that have occurred to the way in which the hackney carriage and private hire trades operate at a local and national level as a result of national legislative amendments. There is a need to address the impact of these changes in order to ensure the Council is in the best position possible to continue to protect people from harm and to reduce the adverse impact on health and the environment from vehicle emissions.

As a result, licensing administrative and enforcement processes have been amended and further enhanced to improve safeguarding outcomes and the policy needs to be amended to reflect these current practices.

Intended audiences and target groups for the service change

- Persons who wish to apply for hackney carriage and private hire vehicle, drivers or operator licences
- Persons who hold existing licences, including those that are the subject of review
- The Council, in its capacity as the licensing authority, including licensing officers, members of the relevant licensing committees and the internal licensing panel (or other relevant decision-making bodies)
- Licensing consultants, solicitors and barristers advising and/or representing applicants/license holders
- Magistrates and judges hearing appeals against Council decisions
- Members of the public, particularly those with disabilities, who use/rely on hackney carriage/private hire services, irrespective whether this is because they live, visit, study in or work in Shropshire
- Other local authorities, particularly Telford & Wrekin Council, City of Wolverhampton Council and others that border the Shropshire Council area
- Shropshire Safeguarding Children Board
- Shropshire Council Children Services
- Keeping Adults Safe in Shropshire Board
- Shropshire Council Adult Services
- Shropshire Council Highways and Transport (Passenger Transport and Environmental Maintenance Teams)
- Shrewsbury Business Improvement District

- Oswestry Business Improvement District
- Shropshire Voluntary and Community Sector Assembly
- Voluntary Groups/Organisations, particularly those who represent, work with or provide services for people with disabilities
- Shropshire Tourist Board, Shropshire Tourism and other tourism bodies
- Police forces, in particular West Mercia Police
- West Mercia Police Crime Commissioner
- Shropshire located Town and Parish Councils
- Shropshire MPs
- Government Departments
- Competitions and Markets Authority

Evidence used for screening of the service change

- Feedback, over the life of the existing policy, from the hackney carriage/private hire trades, from licensing officers/managers, from enforcement and investigation officers and from other stakeholders that has been recorded and collated on an ongoing basis.
- Implementation of new legislation, parts of which relate to hackney carriage and private hire licensing.
- The ongoing national and local concerns about children and adults with care and support needs exploitation, including sexual exploitation, human trafficking, modern slavery and the impact of hate crime.
- Feedback, over the life of the existing policy, from the hackney carriage/private hire trades, from licensing officers/managers, from enforcement and investigation officers and from other stakeholders that has been recorded and collated on an ongoing basis.
- Implementation of new legislation, parts of which relate to hackney carriage and private hire licensing.
- Report of the 'Independent Enquiry into Child Sexual Exploitation in Rotherham 1997 – 2013' Alexi Jay OBE, published August 2014 independent-inquiry-into-child-sexual-exploitation-in-rotherham

- Independent Inquiry into Telford Child Sexual Exploitation Telford & Wrekin Council | Independent Inquiry into Telford Child Sexual Exploitation (IITCSE)
- National Audit on Group-Based Child Sexual Exploitation and Abuse child sexual exploitation and abuse
- The Southport Public Inquiry The Southport Inquiry: Phase 1 report - GOV.UK
- Joint Serious Case Review Concerning Sexual Exploitation of Children and Adults with Needs for Care and Support in Newcastle-upon-Tyne Final JSCR Report 160218 PW.PDF
- Independent Review into Historic Child Sexual Exploitation – Oldham Read the Independent Review into Historic Child Sexual Exploitation | Read the Independent Review into Historic Child Sexual Exploitation | Oldham Council
- Department for Transport, Statutory Taxi and Private Hire Vehicle Standards July 2020 Statutory & Best Practice Guidance for taxi and PHV licensing authorities (publishing.service.gov.uk)
- Department for Transport, Access for wheelchair users to Taxis and Private Hire Vehicles – Statutory Guidance uksiod_20170342_en.pdf (legislation.gov.uk)
- Safeguarding Vulnerable Groups Act 2006 Safeguarding Vulnerable Groups Act 2006 (legislation.gov.uk)
- Department for Education, Home to school travel and transport statutory guidance 2014 Home-to-school travel and transport - GOV.UK (www.gov.uk)
- Local Government Association, Councillor Handbook: Taxi and Private Hire Licensing 20 July 2021 Councillor Handbook: Taxi and PHV Licensing | Local Government Association
- Information Commissioners Office, Guide to the General Data Protection Regulation, The Data Protection Act 2018 Lawful basis for processing | ICO
- Department for Transport Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022 Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022 (legislation.gov.uk)
- Department for Transport Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022, Statutory Guidance Taxis and Private Hire

Vehicles (Safeguarding and Road Safety) Act 2022 - GOV.UK (www.gov.uk)

- Finance Bill 2021, Tax Conditionality
- Department for Transport Taxi and Private Hire Vehicle Licensing: Best Practice Guide March 2010

Specific consultation and engagement with intended audiences and target groups for the service change

The initial revised draft of the policy was presented to the Council's Strategic Licensing Committee. The relevant report can be found in the papers for the Committee meeting held on the 11 March 2026 at Agenda item 5 Agenda for Strategic Licensing Committee on Wednesday, 11th March, 2026, 2.00 pm — Shropshire Council

The Strategic Licensing Committee has overseen the review of the Hackney Carriage and Private Hire Licensing Policy. The Committee is a group of Councillors drawn from across the whole of the Shropshire area. The Members of the Committee considered and approved a draft policy for formal public consultation through the Council's website and directly with relevant stakeholders.

Officers sent notification of an informal consultation to the trade inviting submissions about possible amendments that Trade representatives would like to be included within the revised policy. This was sent out by email to the trade on 24 November 2025 and closed on 21 December 2025.

Submissions were received and officers considered the comments made along with the additional proposals.

The Policy was then revised taking into account the changes in guidance and legislation and in consideration of the officers' summary of the informal comments made by Trade representatives.

A public consultation in respect of the policy was undertaken over a 12-week period from 6 April 2026 to the 28 June 2026.

On 29 May 2026, a 'Taxi Forum' was held to commence the engagement with the hackney carriage and private hire trades. All hackney carriage and private hire drivers, proprietors and operators, where an email address was held on record, were invited to attend the Forum. Operators were asked to cascade the invitation to all their drivers. The feedback from the Forum was recorded and used to inform the revised policy, together with fundamental changes introduced by Council officers to address local and national issues that have arisen during the course of the existing policy.

General information about the consultation was made available on the Council's 'Get involved' section of its website and on the Council and licensing team social media platforms. In addition, hard copy inserts informing driver, proprietor and operator applicants and licence holders were included in all renewal reminder correspondence and with issued licences. Furthermore, links to the consultation were embedded into all emails sent out from the generic 'taxis' email address and from individual officers involved in hackney carriage and private hire licensing.

Details of the consultation were also sent directly, by email, to:

- All hackney carriage and private hire drivers, proprietors and operators, where an email address was held on record
- Competition and Markets Authority
- Oswestry Access Group
- West Mercia Police
- Shropshire Fire and Rescue Service
- Shropshire Council Adult Safeguarding
- Shropshire Council Children Safeguarding
- Regional Taxi Licensing Forum (which includes Telford & Wrekin Council and City of Wolverhampton Council)
- Shropshire Council Regulatory Services and Trading Standards & Licensing managers
- Shropshire Council Passenger Transport Team
- Shropshire Council Director of Public Health
- Shropshire Council Assistant Director of Homes and Communities
- Local Business Board
- Oswestry Business Improvement District
- Shrewsbury Business Improvement District
- Chamber of Commerce
- Federation of Small Businesses
- Campaign for Better Transport
- Shropshire Town and Parish Councils
- Team Shrewsbury

The consultation welcomed and encouraged all interested parties to provide feedback in relation to the content of the whole policy and did not ask specific consultation questions, other than to ask generally for improvements that could be made to the policy, which would support hackney carriage and private hire businesses.

The feedback that was received in response to the formal consultation mainly related to the vehicle emission standards and vehicle age-restrictions, the period of time for which they are allowed to be licenced and the financial impact to proprietors for the replacement of those vehicles. Furthermore, requests were made for an extension to the time the vehicles could be licenced for.

Initial equality impact assessment by grouping (Initial health impact assessment is included below this table)

Please rate the impact that you perceive the service change is likely to have for a grouping, through stating this in the relevant column, including if it is anticipated to be neutral (no impact).

Please also record in here your headline rationale for the ratings you have given.

Protected Characteristic groupings and other groupings locally identified in Shropshire	**High negative impact** *Stage Two ESHIA required*	**High positive impact** *Stage One ESHIA required*	**Medium positive or negative impact** *Stage One ESHIA required*	**Low positive, negative, or neutral impact (please specify)** *Stage One ESHIA required*
Age (please include children, young people, young carers, young people leaving care, people of working age, older people. Some people may belong to more than one group e.g., a child or young person for whom there are safeguarding concerns e.g., an older person with a disability)			✓ particularly those for whom there are safeguarding concerns	
Disability (please include cancer; HIV/AIDS; learning disabilities; mental health conditions and syndromes; multiple sclerosis; neurodiverse conditions such as autism; hidden disabilities such as Crohn's disease; physical and/or sensory disabilities or impairments)			✓ particularly those for whom there are safeguarding concerns	
Gender re-assignment (please include associated aspects: safety, caring responsibility, potential for bullying and harassment)				✓ low to medium
Marriage and Civil Partnership (please include associated aspects: caring responsibility, potential for bullying and harassment)				✓ low to medium
Pregnancy and Maternity (please include associated aspects: safety, caring				✓ low to medium

responsibility, potential for bullying and harassment)				
Race (please include ethnicity, nationality, culture, language, Gypsy, Roma, Traveller)				✓ low to medium
Religion or Belief (please include Buddhism, Christianity, Hinduism, Islam, Jainism, Judaism, Nonconformists; Rastafarianism; Shinto, Sikhism, Taoism, Veganism, Zoroastrianism, and any others)				✓ low to medium
Sex (please include associated aspects: safety, caring responsibility, potential for bullying and harassment)			✓ particularly those caring for or supporting those for whom there are safeguarding concerns	
Sexual Orientation (please include associated aspects: safety; caring responsibility; potential for bullying and harassment)				✓ low to medium
Other: Social Inclusion (please include households in poverty or on low incomes; people for w hom there are safeguarding concerns; people you consider to be vulnerable; people w ith health inequalities; refugees and asylum seekers; rough sleepers and those at risk of homelessness; and rural communities)			✓vulnerable individuals	
Other: Carers (please include families and friends w ith caring responsibilities)			✓ particularly those caring for or supporting those for whom there are safeguarding concerns	

Other: Veterans and serving members of the armed forces and their families (as per Armed Forces Act 2023)				✓ low to medium
Other: Young people leaving care			✓ particularly those for whom there are safeguarding concerns	

Initial health and wellbeing impact assessment by category

Please rate the impact that you perceive the service change is likely to have with regard to health and wellbeing, through stating this in the relevant column, including if it is anticipated to be neutral (no impact).
Please also record in here your headline rationale for the ratings you have given.

Health and wellbeing: individuals and communities in Shropshire	**High negative impact** *Part Two HIA required*	**High positive impact**	**Medium positive or negative impact**	**Low positive negative or neutral impact (please specify)**
Will the proposal have a *direct impact* on an individual's health, mental health and wellbeing? For example, would it cause ill health, affecting social inclusion, independence and participation? .			✓ positive	
Will the proposal *indirectly impact* an individual's ability to improve their own health and wellbeing? For example, will it affect their ability to be physically active, choose healthy food, reduce drinking and smoking? .			✓ positive	
Will the policy have a *direct impact* on the community - social,			✓ positive	

economic and environmental living conditions that would impact health? For example, would it affect housing, transport, child development, education, employment opportunities, availability of green space or climate change mitigation? .				
Will there be a likely change in *demand* for or access to health and social care services? For example: Primary Care, Hospital Care, Community Services, Mental Health, Local Authority services including Social Services? .				✓neutral

Initial health equity assessment	
For the following categories, please complete with the expected impacts of this service change on wider inequalities, not just those that are health-related (whether positive, negative, or neutral) – include any additional information you feel is pertinent or useful. **Consider and record which you can control, which you can influence, and which may be out of your control**.	
Which population groups/demographics will face health impacts as a result of this change (if any)? • Socio-Economically Deprived • Geographic Deprivation (inc. Rurality) – *if so, where?* • Inclusion Health & Vulnerable Groups[1] • Other	The proposal is expected to have an overall positive impact, with the greatest benefits likely to be experienced by people who rely more heavily on hackney carriage and private hire services to access healthcare, employment, education, shopping, social activities and other essential services. This includes older people; children and young people, including care leavers; people with disabilities including physical, sensory, learning, neurodiverse or mental health conditions; carers; women; people without access to a private car; and people on low incomes.

	People experiencing socio-economic disadvantage may be disproportionately affected by the availability, accessibility and affordability of licensed transport. People with disabilities, in particular, may use taxis more frequently for essential journeys while also being more likely to experience relative poverty. The policy's strengthened accessibility expectations, continued publication of the designated wheelchair-accessible vehicle list, safeguarding requirements and enforcement of Equality Act 2010 duties should help reduce barriers, discrimination and risks to personal safety. Geographical impacts are particularly relevant across Shropshire's rural and dispersed communities, where public transport may be limited and journeys to health, social care and other essential services may be longer. Residents in villages and more isolated areas, including those without a car, may therefore depend more heavily on taxis and private hire vehicles. Inclusion health and vulnerable groups—including people experiencing homelessness, vulnerable migrants, Gypsy, Roma and Traveller communities, people in contact with the justice system, and people at risk of exploitation, modern slavery or abuse—may also benefit from the policy's safeguarding, suitability, equality and enforcement provisions. No specific adverse health impact has been identified for these groups at this stage; however, availability, affordability and vehicle accessibility will require continuing review because these factors are influenced by wider market conditions and transport provision as well as by the licensing policy.
What mitigations/enhancements are already in place, or what mitigations/enhancements do you plan to include for the foreseeable consequences of these changes?	The Council will enhance the anticipated positive impacts and mitigate foreseeable risks through clear licence conditions, robust suitability checks, safeguarding requirements and proactive enforcement. Compliance with the Equality Act 2010 will be promoted and monitored, including

	duties relating to passengers with disabilities, assistance dogs and wheelchair users. Complaints or intelligence concerning discrimination, refusal of service, unsafe conduct, exploitation, modern slavery or breaches affecting public safety will be investigated, with proportionate use of the full range of licensing sanctions and legal proceedings where appropriate. Accessibility will be supported through publication and regular updating of the designated wheelchair-accessible vehicle list and through continued engagement with people with disabilities, disability access groups and the trade to identify barriers affecting people with physical, sensory, learning, neurodiverse or hidden disabilities. Information about the policy, consultation outcomes, complaints routes and Council contact details will remain available online and through direct licensing communications, with non-digital contact by telephone and written correspondence retained to avoid digital exclusion. The impact of the policy will be kept under continuous review, with a formal review after three years or earlier where evidence indicates this is necessary. Feedback will be gathered through Taxi Forums, direct contact with the trade, passenger and public feedback, complaints and enforcement activity, and recorded through the Council's licensing systems. Attention will be given to availability, affordability and accessibility in rural and isolated communities, and to the experiences of older people, disabled people, carers, children and young people, care leavers, people on low incomes and other vulnerable groups. The Council will continue partnership working with safeguarding boards, West Mercia Police, Children's Services, Adult Services, Public Health, Passenger Transport, Environmental Protection, neighbouring licensing authorities, town and parish councils and relevant voluntary and community organisations. Although the

	Council can control its licensing standards, administration and enforcement, wider matters such as market supply, journey affordability and the overall availability of public transport are not wholly within the licensing authority's control. The Council will therefore use evidence, engagement and partnership working to influence these factors and will consider proportionate policy adjustments if monitoring identifies unintended adverse impacts.

1- *Inclusion health is an umbrella term used to describe people who are socially excluded, who typically experience multiple overlapping risk factors for poor health, such as poverty, violence, and complex trauma. This includes people who experience homelessness, drug and alcohol dependence, vulnerable migrants, Gypsy, Roma and Traveller communities, sex workers, people in contact with the justice system and victims of modern slavery. Health impacts for this wide grouping will therefore potentially be the same as those recorded under the Social Inclusion category in the equality impact table.*

Guidance Notes

1. Legal Context

It is a legal requirement for local authorities to assess the equality and human rights impact of changes proposed or made to services. It is up to us as an authority to decide what form our equality impact assessment may take. By way of illustration, some local authorities focus more overtly upon human rights; some include safeguarding. It is about what is considered to be needed in a local authority's area, in line with local factors such as demography and strategic objectives as well as with the national legislative imperatives.

Carrying out these impact assessments helps us as a public authority to ensure that, as far as possible, we are taking actions to meet the general equality duty placed on us by the Equality Act 2010, and to thus demonstrate that the three equality aims are integral to our decision-making processes. These are: eliminating discrimination, harassment and victimisation; advancing equality of opportunity; and fostering good relations.

These screening assessments for any proposed service change go to Cabinet as part of the committee report, or occasionally direct to Full Council, unless they are ones to do with Licensing, in which case they go to Strategic Licensing Committee.

Service areas would ordinarily carry out a screening assessment, or Stage One equality impact assessment. This enables energies to be focussed on review and monitoring and ongoing evidence collection about the positive or negative impacts of a service change upon groupings in the community, and for any adjustments to be considered and made accordingly.

These screening assessments are recommended to be undertaken at timely points in the development and implementation of the proposed service change.

For example, a Stage One ESHIA would be a recommended course of action before a consultation. This would draw upon the evidence available at that time, and identify the target audiences, and assess at that initial stage what the likely impact of the service change could be across the national Protected Characteristic groupings and our additional local categories. This ESHIA would set out intended actions to engage with the groupings, particularly those who are historically less likely to engage in public consultation eg young people, as otherwise we would not know their specific needs.

A second Stage One ESHIA would then be carried out after the consultation, to say what the feedback was, to set out changes proposed as a result of the feedback, and to say where responses were low and what the plans are to engage with groupings who did not really respond. This ESHIA would also draw more upon actions to review impacts in order to mitigate the negative and accentuate the positive.

Meeting our Public Sector Equality Duty through carrying out these ESHIAs is very much about using them as an opportunity to demonstrate ongoing engagement across groupings and to thus visibly show we are taking what is called 'due regard' of the needs of people in Protected Characteristic groupings.

If the screening indicates that there are likely to be high negative impacts for groupings within the community, the service area would need to take advice on whether or not to carry out a full report, or Stage Two assessment. This is resource intensive but will enable more evidence to be collected that will help the service area to reach an informed opinion.

In practice, Stage Two or Full Screening Assessments have only been recommended twice since 2014, as the ongoing mitigation of negative equality impacts should serve to keep them below the threshold for triggering a Full Screening Assessment. The expectation is that Full Screening Assessments in regard to Health Impacts may occasionally need to be undertaken, but this would be very much the exception rather than the rule.

2. Council Wide and Service Area Policy and Practice on Equality, Social Inclusion and Health

This involves taking an equality and social inclusion approach in planning changes to services, policies, or procedures, including those that may be required by Government. The decisions that you make when you are planning a service change need to be recorded, to demonstrate that you have thought about the possible equality impacts on communities and to show openness and transparency in your decision-making processes.

This is where Equality, Social Inclusion and Health Impact Assessments (ESHIAs) come in. Where you carry out an ESHIA in your service area, this provides an opportunity to show:

- What evidence you have drawn upon to help you to recommend a strategy or policy or a course of action to Cabinet or to Strategic Licensing Committee.
- What target groups and audiences you have worked with to date.

- What actions will you take in order to mitigate any likely negative impact upon a group or groupings, and enhance any likely positive effects for a group or groupings; and
- What actions you are planning to monitor and review the impact of your planned service change.

The formal template is there not only to help the service area but also to act as a stand-alone for a member of the public to read. The approach helps to identify whether or not any new or significant changes to services, including policies, procedures, functions, or projects, may have an adverse impact on a particular group of people, and whether the human rights of individuals may be affected.

There are nine Protected Characteristic groupings defined in the Equality Act 2010. The full list of groupings is: Age; Disability; Gender Reassignment; Marriage and Civil Partnership; Pregnancy and Maternity; Race; Religion or Belief; Sex; and Sexual Orientation.

There is also intersectionality between these. Eg a young person with a disability would be in the groupings of Age and Disability, and if they described themselves as having a faith they would then also be in the grouping of Religion or Belief. We demonstrate equal treatment to people who are in these groups and to people who are not, through having what is termed 'due regard' to their needs and views when developing and implementing policy and strategy and when commissioning, procuring, arranging, or delivering services.

For the individuals and groupings who may be affected, ask yourself what impact do you think is likely and what actions will you currently anticipate taking, to mitigate or enhance likely impact of the service change? If you are reducing a service, for example, there may be further use you could make of awareness raising through social media and other channels to reach more people who may be affected.

Social inclusion is then a wider additional local category we use in Shropshire, in order to help us to go beyond the equality legislation in also considering impacts for individuals and households with regard to the circumstances in which they may find themselves across their life stages. This could be households on low incomes, or households facing challenges in accessing services, such as households in rural areas, or people that we might consider to be vulnerable, such as refugee families or rough sleepers.

Please note that veterans and serving members of the armed forces and their families are a grouping to whom we are required to give due regard under Armed Forces legislation, although in practice we have been doing so for a number of years now.

We also identify two further distinct separate local groupings due to their circumstances: care leavers, as vulnerable individuals, and carers, due to the support they give and the support they need.

When you are not carrying out an ESHIA, you still need to demonstrate and record that you have considered equality in your decision-making processes. It is up to you what format you choose. You could use a checklist, an explanatory note, or a document setting out our expectations of standards of behaviour, for contractors to read and sign. It may well not be something that is in the public domain like an ESHIA, but you should still be ready for it to be made available.

Both the approaches sit with a manager, and the manager has to make the call, and record the decision made on behalf of the Council.

Carry out an ESHIA:

- If you are building or reconfiguring a building.
- If you are planning to reduce or remove or reconfigure a service.
- If you are consulting on a policy or a strategy.
- If you are bringing in a change to a process or procedure that involves other stakeholders and the wider community as well as particular groupings

Carry out and record your equality and social inclusion approach:

- If you are setting out how you expect a contractor to behave with regard to equality, where you are commissioning a service or product from them.
- If you are setting out the standards of behaviour that we expect from people who work with vulnerable groupings, such as taxi drivers that we license.
- If you are planning consultation and engagement activity, where we need to collect equality data in ways that will be proportionate and non-intrusive as well as meaningful for the purposes of the consultation itself.
- If you are looking at services provided by others that help the community, we need to demonstrate a community leadership approach

3. Council wide and service area policy and practice on health and wellbeing

This is an area to record within our overall assessments of impacts, for which we ask service area leads to consider health and wellbeing impacts, and to look at these in the context of direct and indirect impacts for individuals and for communities.

A better understanding across the Council of these impacts will also better enable the Public Health colleagues to prioritise activities to reduce health inequalities in ways that are evidence based and that link effectively with equality impact considerations and climate change mitigation.

Health in All Policies – Health Impact Assessment

Health in All Policies is an upstream approach for health and wellbeing promotion and prevention, and to reduce health inequalities. The Health Impact Assessment (HIA) is the supporting mechanism

- Health Impact Assessment (HIA) is the technical name for a process that considers the wider effects of local policies, strategies and initiatives and how they, in turn, may affect people's health and wellbeing.
- Health Impact Assessment is a means of assessing both the positive and negative health impacts of a policy. It is also a means of developing good evidence-based policy and strategy using a structured process to review the impact.
- A Health Impact Assessment seeks to determine how to maximise health benefits and reduce health inequalities. It identifies any unintended health consequences. These consequences may support policy and strategy or may lead to suggestions for improvements.
- An agreed framework will set out a clear pathway through which a policy or strategy can be assessed and impacts with outcomes identified. It also sets out the support mechanisms for maximising health benefits.

The embedding of a Health in All Policies approach will support Shropshire Council through evidence-based practice and a whole systems approach, in achieving our corporate and partnership strategic priorities. This will assist the Council and partners in promoting, enabling and sustaining the health and wellbeing of individuals and communities whilst reducing health inequalities.

Individuals

Will the proposal have a *direct impact* on health, mental health and wellbeing?

For example, would it cause ill health, affecting social inclusion, independence and participation?

Will the proposal directly affect an individual's ability to improve their own health and wellbeing?

This could include the following: their ability to be physically active e.g., being able to use a cycle route; to access food more easily; to change lifestyle in ways that are of positive impact for their health.

Provision or change to a service that allows greater reach to those most in need, this can involve relocation, pooling of resource/efficiency changes, or digitisation of some provision. It may also involve greater opportunities for employment, decreasing socio-economic inequality. Physical alternatives to be made available (where practical) to be offered wherever possible to avoid digital exclusion and reduce social isolation. These changes can be either positive or negative depending on the proposal.

An example of this could be that you may be involved in proposals for the establishment of safer walking and cycling routes (e.g., green highways), and changes to public transport that could encourage people away from car usage. and increase the number of journeys that they make on public transport, by foot or on bicycle or scooter. This could improve lives. It could also involve virtual support sessions/appointments to avoid unnecessary travel and provide greater flexibility

with individuals work schedules. It may involve greater internet connectivity, to improve remote working opportunities and air pollution concerns, or improved communications coverage through closer partnership working – targeting those most in need of specific information.

Will the proposal *indirectly impact* an individual's ability to improve their own health and wellbeing?

This could include the following: their ability to access local facilities e.g., to access food more easily, or to access a means of mobility to local services and amenities? (e.g. change to bus route)

Similarly to the above, an example of this could be that you may be involved in proposals for the establishment of safer walking and cycling routes (e.g. pedestrianisation of town centres), and changes to public transport that could encourage people away from car usage, and increase the number of journeys that they make on public transport, by foot or on bicycle or scooter. This could improve their health and wellbeing.

Communities

Will the proposal directly or indirectly affect the physical health, mental health, and wellbeing of the wider community**?**

A *direct impact* could include either the causing of ill health, affecting social inclusion, independence and participation, or the promotion of better health.

An example of this could be that safer walking and cycling routes could help the wider community, as more people across groupings may be encouraged to walk or engage in active travel. Increasing physical activity and minimising the time spent sitting down helps to maintain a healthy weight and reduces the risk of cardiovascular disease, type 2 diabetes, cancer, and depression. The UK Chief Medical Officers recommend that adults should do at least 150 minutes of moderate activity, or 75 minutes of vigorous activity, each week. At a wider level, reductions in vehicular emission lead to better air quality, and a reduction in NO_2 in the atmosphere.

An *indirect impact* could mean that a service change could indirectly affect living and working conditions and therefore the health and wellbeing of the wider community.

An example of this could be: an increase in the availability of warm homes would improve the quality of the housing offer in Shropshire and reduce the costs for households of having a warm home in Shropshire. This can reduce the risks of cold related health effects, as well as reduce the financial burden on the population, whose ability to shoulder these costs can vary. Often a health promoting approach also supports our agenda to reduce the level of Carbon Dioxide emissions and to reduce the impact of climate change.

Please record whether at this stage you consider the proposed service change to have a direct or an indirect impact upon communities.

Demand

Will there be a change in demand for or access to health, local authority and social care services?

For example: Primary Care, Hospital Care, Community Services, Mental Health and Social Services?

An example of this could be: a new housing development in an area would affect demand for primary care and local authority facilities and services in that location and surrounding areas. If the housing development does not factor in consideration of availability of green space and safety within the public realm, further down the line there could be an increased demand upon health and social care services as a result of the lack of opportunities for physical recreation, and reluctance of some groupings to venture outside if they do not perceive it to be safe.

For further advice: please contact
Lois Dale via email Lois.Dale@shropshire.gov.uk
or
Phil Northfield via email Phillip.Northfield@shropshire.gov.uk

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Committee	Strategic Licensing Committee
Date and Time	7 October 2026 Public

Licensing Fees and Charges 2027 - 2028

Cabinet Member:	Councillor Roger Evans – Portfolio Holder for Finance
Lead Director:	Richard Philips Service Director - Legal & Governance (Monitoring Officer)
Service Area:	Transactional Management and Licensing
Report Author	Mandy Beever, Transactional Management and Licensing Manager
Officer contact details	01743 251702 Mandy.Beever@shropshire.gov.uk
Electoral Divisions Affected	All
Key Decision?	Not Key Decision
Cabinet Forward Plan	Not Applicable
Report considered by	Strategic Licencing Committee 7 October 2026

1. Purpose of Report

1.1. This report proposes the revision of licensing fees where the authority has the discretion to determine the relevant fees for the financial year from 1 April 2027 to 31 March 2028.

2. Recommendations

2.1. The Committee notes the statutory fees that Shropshire Council is required to charge in accordance with the Licensing Act 2003 as set out in **Appendix A**, in accordance with the Gambling Act 2005 as set out in **Appendix B** and in accordance with explosives and fireworks legislation as set out in **Appendix C** and recommends that the authority implements these fees (or if subject to statutory

amendment, the relevant amended fees) on the 1 April 2027 and instructs the Transactional Management and Licensing Team Manager to arrange for the fees to be included in the 2027/28 annual fees and charges reports that are presented to Cabinet and Council and further instructs the Transactional Management and Licensing Team Manager to implement, as appropriate, any other statutory fees that may be brought into force during the 2027/28 financial year and to publish all relevant statutory fees on the licensing pages of the Council's website as soon as is practicable.

2.2. That the Committee implements, with any necessary modification and with effect from 1 April 2027 the proposed fees as set out in **Appendices D, E, F, G, H** and **I** that relate to those licences and licensing related activities where the authority has the discretion to determine the fees and instructs the Transactional Management and Licensing Team Manager to arrange for the fees to be included in the 2027/28 annual fees and charges reports that are presented to Cabinet and Council and further instructs the Transactional and Licensing Team Manager to publish the fees on the licensing pages of the Council's website as soon as is practicable.

2.3. That the Committee instructs the Transactional Management and Licensing Team Manager to arrange for the proposed fees as set out in **Appendix F**, with any necessary modification, to be included in the 2027/28 annual fees and charges reports that are presented to Cabinet and Council and, where necessary, in respect of those fees a note is recorded in the said annual reports stating 'Provisional fees under consultation fees to be confirmed by the Strategic Licensing Committee.

2.4. That the Committee agrees the Relevant Protected Site fees policy as set out at **Appendix J** and instructs the Transactional Management and Licensing Team Manager to published the fees policy on the licensing pages of the Council's website.

3. Background

3.1 The principle of cost recovery under licensing legislation applies to the licensing of hackney carriages and private hire vehicles, operators and drivers. It also extends to sex establishments, street trading, acupuncture, tattooing, semi-permanent skin colouring, cosmetic piercing, electrolysis, zoos, providing day care for dogs, breeding for dogs, boarding for cats, kennel boarding, home boarding, selling animals as pets, keeping or training animals for exhibition, hiring out horses, dangerous wild animals, scrap metal dealers, pleasure boats/vessels, distribution of free printed matter, residential caravan sites, some explosives and fireworks licences, together with the issuing of various licences under the Gambling Act 2005.

3.2 Caravan sites are currently licensed by the Council under the Caravan Sites and Control of Development Act 1960, as amended by the Mobile Homes Act 2013. The amendment to the 1960 Act permits the Council to charge fees for the licensing of residential caravan sites.

3.3 The financial modelling tool, referred to in paragraph 6.6, has been set up to allow Licensing Act 2003 fees to be incorporated and calculated as and when the Council is in a position to do so both from a policy and a legislative perspective.

3.4 The government has previously consulted on its intention to move from centrally set to locally set licence fees under the Licensing Act 2003 but has yet to take this forward. As a result, the nationally determined statutory fees are retained and the Licensing Act 2003 fees are included in **Appendix A**. There are no discretionary Licensing Act 2003 fees proposed other than for providing a copy of information contained in an entry in the public register; this is reflected in **Appendix G.**

3.5 The costs associated with the licensing procedures that the Council may legally recover in fees consists of administrative costs, the costs of investigating the background and suitability of applicants for licences and the costs of monitoring the compliance of those with licences with their terms. Where applicable the cost of enforcement against unlicensed operators is also included in the fee. These will certainly include the costs that are directly attributable to licensing procedures and a proportion of indirect costs. The Council must be in a position to demonstrate that the costs included in any fees calculations are reasonable and proportionate to the cost of the licensing procedures.

3.6 Fees cannot exceed the cost of the licensing procedures and cannot be used to finance the delivery of other Council services.

3.7 To aid the Council to properly recover relevant licensing costs all licensing procedures have been considered and reviewed in detail; this work continues to evolve through an iterative process to further develop, improve and refine the processes involved. Managers, licensing officers and finance officers have collaborated in this work. The licensing procedures are considered from receipt of application to the issue of the final licence, permit, notice or registration with both variable and fixed costs being considered. These costs include officer, management and member time, including running of relevant Committees and the Licensing Panel, to administer and monitor compliance of both those already licensed and those who are unlicensed but exclude time spent enforcing matters that relate to joint hackney and private hire drivers' licences. In addition, a proportion of all indirect costs that can reasonably be attributed to licensing procedures have been included; for example, office accommodation, ICT, travelling, advertising, postage & printing, subscriptions, telephone costs, training and all other relevant internal market recharges and supplies and services costs.

3.8 There is no statutory duty on the Council to consult when setting or revising licensing fees with the exception of those fees relating to hackney carriage, private hire vehicles and operators' licences under Section 70 of the Local Government (Miscellaneous Provisions) Act 1976. This duty is reflected in the recommendation set out at paragraph 2.3 above. Historically, the Council has also consulted on driver licence fees and consequently it is recommended that this practice continues. Consequently, to vary the fees from those currently set, the Council is required to follow specific procedures that allow for objections to be made and considered by the Committee.

3.9 With respect to the remaining discretionary fees, it is suggested that publishing the Council's intentions, prior to the fees coming into force, is sufficient and this reflects previous practice.

3.10 The process that has been undertaken to determine the fees for 2027/28 is an extension of the process that commenced in 2013. This process will continue annually with amendments being made to take account of changes in the law and Council procedures and costs.

3.11 The Committee's legal authority to agree the recommendations is based within a range of specific licensing legislation together with the delegated functions set out in the Council's Constitution. Extracts from the relevant legislation are provided in **Appendix K**. Due consideration has also been given to relevant European legislation.

4. Summary of Main Proposals

4.1. This report proposes revised fees for the period 1 April 2027 to 31 March 2028 for licences and licensing related activities where the authority has the discretion to determine the relevant fees and relates to:

- hackney carriage and private hire vehicles and drivers;
- private hire operators;
- public health (acupuncture, tattooing, semi-permanent skin colouring, cosmetic piercing, electrolysis);
- animals (hiring out horses, providing day care for dogs, boarding for cats, home boarding, kennel boarding, breeding for dogs, selling animals as pets, keeping or training animals for exhibition, dangerous wild animals, zoos and primates);
- scrap metal;
- sex establishments;
- street trading;
- explosives and fireworks;
- distribution of free printed matter;
- relevant protected sites and
- pleasure boats and vessels.

4.2. This report also proposes revised fees under the Gambling Act 2005 in relation to gambling activities where the authority has the discretion to determine fees up to legally set statutory maximums.

4.3. The statutory fees that must be charged for specific licences, permits and registrations under the Licensing Act 2003, the Gambling Act 2005 and explosives and fireworks legislation are also set out within the report.

4.4. Those licensed activities for which no fees may be set are also highlighted.

4.5. The total cost to the Council of delivering the licensing service in 2025/26 was calculated to be £948,393 and the income received was £818,102. There was an overall deficit of £130,291 with specific surpluses and deficits relating to each licence type calculated separately – see **Appendix L**. Steps have been, and

continue to be taken, to improve cost recovery across all appropriate licence types in order to reduce the overall deficit and to redistribute, return and recoup fees in relation to each licence type as appropriate.

4.6. The proposed fees are based on undertaking the administrative procedures and formalities associated with the relevant licencing procedures, including the costs of investigating the background and suitability of applicants for licences together with the cost of monitoring the compliance of those who are licensed against the conditions of their licences and enforcement for unlicensed activities where it is permitted. Where relevant, the fees have been split into two parts. The recovery of the deficits and the return of the surpluses as set out in **Appendix L** have been included in the fee calculations for 2027/28. As a result of this work, the proposed fees have been calculated and are set out in **Appendices D to I**.

4.7. Costs can be recovered over a period of time allowing surpluses to be returned to licensees and deficits to be recouped by the Council. This does not mean that fees have to be adjusted every year to reflect immediately previous deficits or surpluses. In any case, it must be demonstrable over a period of time that only legitimately incurred costs are recovered. Costs associated with enforcing unlicensed operators/businesses are recoverable by the Council but these costs are excluded from the calculation for the joint hackney and private hire drivers' licences in line with provisions in the Local Government (Miscellaneous Provisions) Act 1976. In addition, costs of providing advice to those who may consider applying for a licence in the future are included.

4.8. The surpluses and deficits for hackney carriage and private hire licence fees are set out in **Appendix L (Table 2)** and have been incorporated into the revised fees as set out **Appendix F**. Where a surplus has been generated in 2025/26 but a cumulative deficit position exists licence fees have not been reduced.

4.9. The fees under the Licensing Act 2003 are statutory fees that the Council cannot change. **Appendix L (Table 1)** shows a fee surplus of £99,030 was generated. This is largely due to the requirement for licensed premises to pay an annual fee to maintain their licence. The process of offsetting the overall licensing deficit using Licensing Act fees is permissible; however, this is only because the Licensing Act fees are statutory. Where the Council has the authority to set specific discretionary fees, these fees must be used only for the purposes of funding those specific licences.

4.10. Public health licences are issued indefinitely; hence, there is no opportunity to recoup deficits or return surpluses through a renewal process. Fee payments are entirely reliant on new applicants. The number of applicants is difficult to forecast. The administration and enforcement of the public health licences has, and continues to be, reviewed and efficiencies identified. However, the applications received still contributed to a £30,975 deficit across the public health licences in 2025/26. Where a surplus has been generated in 2025/26 but a cumulative deficit position exists licence fees have not been reduced.

4.11. On the 1 October 2018 the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 (the Regulations) came into effect. This provides for the licensing of providing day care for dogs, breeding for dogs, boarding for cats, kennel boarding, home boarding, selling animals as pets,

keeping or training animals for exhibition and hiring out horses. The new regulations do not include zoos and dangerous wild animals, the issuing of these licenses remain under the existing legislative requirements.

4.12. The work that has been undertaken to recover the deficits associated with animal licences to date has not been fully effective. The cumulative deficit increased by £53,450 in 2025/26. This is principally due to the changes introduced by the Regulations. The regulations required an increase in staffing resource to carry out inspections, particularly to address the increasing risk to animal welfare because of importation and over-breeding. Furthermore, the regulations allowed for licences to be issued to those businesses who met the higher standards for an extended period of up to three years, (previous legislation only allowed for a one-year licence to be issued). This resulted in a reduction in fees being received on an annual basis. The administration and enforcement of the animal health licences has, and continues to be, reviewed and efficiencies identified.

4.13. All licences subject to the Regulations are given a star rating (with the exception of Keeping or Training Animals for Exhibition Licences, which replaced Performing Animals Certificates and are subject to an automatic three year licence which is not star rated). The purpose of the star rating system is to ensure consistency in the implementation and operation of the licensing system, and to ensure that consumers can clearly see the star rating a business has received and therefore the risk level and standards of animal welfare they have. The star rating is determined by a scoring matrix set out in the Regulations. In order to calculate the star rating the results of an inspection of a premises and an assessment of the level of risk a business poses are combined to produce a rating between one and five stars. The higher the star rating is the better the standard of the business. The star rating also determines the length of time a licence lasts. One and two star licences last for one year, three and four star licences last for two years and five star licences last for three years.

4.14. The introduction of the star rating and different length licences makes it challenging to forecast annual income in relation to animal licences, this is due to the fact that under the new regime the number of licences issued in one financial year does not reflect the number that will be due for renewal in the following financial year. There are also a number of other variables which may affect when, or if, a licence is renewed, including:

- Surrender or non-renewal of a licence – there has been an increase in this since the new Regulations came into force as they are more difficult to comply with and some business have chosen not to continue operating.

- A licence not being granted, or an application being withdrawn after the initial application and inspection phase (and therefore not paying the second part of the fee) because the business is not able to comply with the Regulations – instances of this have also increased due to some businesses finding it hard to comply with the new Regulations.

- A business requesting a re-rating inspection mid-licence because they have carried out work identified as needed at the initial inspection and are now able to reach a higher standard. The star rating and therefore the length of the licence would increase as a result, changing the original renewal date.

- A businesses star rating being downgraded following an unannounced inspection (either the mandatory unannounced inspection carried out during the course of the licence as required by the Regulations or as the result of a complaint), resulting in the licence lasting for a shorter period of time than originally issued, changing the original renewal date.

- A business deciding not to continue with one activity where they carry out more than one or deciding to add a new activity. For example, a business which was a kennel and a cattery deciding not to offer cat boarding but continuing with kennel boarding when they come to renew their licence, reducing the renewal fee due.

4.15. Under the previous regimes the majority of licences lasted for one year, there were no star ratings and the regimes were less rigorous, so there were relatively fewer variables which could impact on the likelihood of when and if a licence was renewed. It was therefore possible to forecast expected income from animal licences in year more accurately.

4.16. A list of the fees under the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 are set out at **Appendix H**.

4.17. It is important to note that the timing of the rolling fee recovery period means that the deficit reported in the current financial year does not represent a permanent pressure on the service budget. The shortfall is expected to be recovered through income received in 2027/28, when the majority of the three to five star ratings fall due. The overall financial impact should therefore be assessed across the full rolling period, with fee income and recoverable costs monitored to ensure that the position remains balanced over time and that only legitimately incurred costs are recovered.

4.18. The Animal Welfare (Primate Licences) (England) Regulations 2024 came into force on 6 April 2025. The regulations required anyone who keeps a primate to be licenced to do so from 6 April 2026. The Regulations allows for Local Authorities to set an application fee including fees for renewal, variation or surrender and for any inspection which it must or may arrange. The proposed fees have been set out in **Appendix G** and include the costs associated with the licensing requirements in line with the Regulations.

4.19. Explosives and fireworks licence and registration fees are all statutory fees (with the exception of those discretionary fees listed in **Appendix D**), which cannot be changed by the Council. **Appendix L (Table 1)** shows a deficit of £11,811, which will only be able to be reduced through making efficiency improvements across the administration and enforcement processes. The service is continuing to review how these efficiencies can be achieved. It should be noted that the activities to which the discretionary fees relate are little used in practice and were not used at all during 2025/26; hence there being no opportunity to generate additional discretionary income in order to recover the deficit incurred.

4.20. The work undertaken to recover the deficits associated with scrap metal licences has started to become effective. There is a cumulative surplus of £932 in 2025/26.

The staffing resource required to carry out inspections to address the recognised criminal risks associated with scrap metal dealing is continually reviewed. The administration and enforcement of scrap metal licences has and continues to be reviewed and efficiencies identified. The fees associated with scrap metal licences are set out in **Appendix G**.

4.21. The licences that are grouped as miscellaneous include those for non-residential caravan sites, sex establishments, free printed matter, street collections, house to house collections, street trading and pleasure boats and vessels as listed in **Appendix G**. Work that has been undertaken to recover the deficit associated with these licences has not been fully effective with the cumulative deficit increasing with a further £20,469 in 2025/26. A proportion of these costs are not recoverable and will always be borne by the local taxpayer as there are certain licences where the Council is unable to charge fees, e.g. licensing house to house collections, street collections and non-residential caravan sites. The administration and enforcement of these licences has and continues to be reviewed and efficiencies identified.

4.22. The caravan sites and control of development act 1960 as amended by the Mobile Homes Act 2013 (the Act) allows for the Council to fix fees for a new application for a Relevant Protected Site, fix a fee for the alteration of the site licence (whether by the variation or cancellation of existing conditions, or by the addition of new conditions, or by a combination of any such methods), fix a fee for the transfer of a site licence, fix annual fees and prepare and publish a fees policy. The fees associated with Relevant Protected Sites are set out at **Appendix I**. The Relevant Protected Site Fees Policy information it set out at **Appendix J**.

4.23. The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020 allows for the Council to fix a fee for an application for inclusion in the register of fit and proper persons and prepare and publish a fees policy.

4.24. The Mobile homes (site rules) (England) Regulations 2014 allows the Council to determine a fee for the owner of a Relevant Protected Site to deposit site rules or a deletion notice with the local authority.

4.25. A Relevant Protected Site under the Act is a residential caravan site; it does not include any site licence which is granted for holiday use only or a site which is subject to conditions that include periods of time when no caravan may be stationed on land for human habitation.

4.26. The Act came into effect from 1 July 2021, fees were set along with a fees policy from 1 April 2022. All existing licence holders were required to apply under the Act prior to the fees coming into effect. Each licence is renewed every five years. There is a cumulative surplus of £43 in the year 2025/26. The administration and enforcement of these licences have and continues to be reviewed and efficiencies identified. The fees have been set considering the details contained in the fees policy. The fees policy will continue to be reviewed and published each year.

4.27. The Gambling Act 2005 provides for licences, permits, notices and registrations. The Council has the discretion to set the fees for licences and notices up to certain

statutory maximums. The fees for permits and registrations are statutory and the Council has no authority to change these.

4.28. The majority of the Gambling Act work undertaken relates to the administration and enforcement of permits and registrations, which are the subject of statutory fees. There is a clear indication that these statutory fees are insufficient to cover the cost of the work associated with the administration and enforcement of the permits, e.g. basic administrative costs are at least 20% more than the statutory fee payable and there are a considerable number where the overall costs are significantly more. Processes continue to be reviewed and refined to ensure efficiencies wherever practicable.

4.29. The Council has the authority to set the licence fees under the Gambling Act (up to certain statutory maximums). The proposed fees, which directly reflect the calculations to recover the costs incurred, or the statutory maximum depending on which of the two is lower, are set out in **Appendix E**. As with explosives licences referred to above, the activities to which the discretionary fees relate are little used in practice; hence there being no opportunity to generate additional discretionary income in order to recover the deficit incurred.

4.30. An assumption has been made about the number of renewals that will take place in 2027/28 in order to recover or redistribute the deficits and surpluses. Until the end of the 2027/28 financial year it will not be known whether the assumptions about the number of renewals were accurate or not. The activity in 2026/27 will again change the cumulative position and further adjustments will be required in this rolling annual process. The adjustments to correct any material discrepancy in the recovery or redistribution of the deficits and surpluses will be made against 2028/29 fees and so on until the recovery of the surplus or deficit reaches a satisfactory position.

4.31. Where licences have a renewal period of greater than one year, the recovery or redistribution calculation is spread across the same period.

4.32. The setting of licensing fees and charges for the 2027/28 includes:

The 3.5% pay award for local government staff effective from 1 April 2026.

4.33. The fee calculations take into account regional variations to ensure Shropshire Council is the licensing body of choice and as a result no blanket inflationary costs are being applied to fees. This process also takes account of fluctuating numbers of applications each year and the need to cost over the three-year statutory period.

4.34 Where legislation allows the Council to recover licensing costs, it is important that this is undertaken effectively. Losses that are not funded by other means, including being subsidised by council tax payers, may result in a reduction in the Council's ability to effectively deliver the overall licensing regime in the Shropshire Council area. However, it is recognised that not all licensing costs are recoverable.

5. Alternative Options

5.1. The alternative options available to the Council are to retain the existing discretionary licensing fees and charges, apply a reduced or partial increase, or defer any revised fees to a later financial year. These options are not recommended, as they would limit the Council's ability to recover the reasonable and proportionate costs incurred in administering, regulating and enforcing the relevant licensing regimes, where legislation permits such recovery. Any unrecovered costs would either need to be met from wider Council resources, including local taxpayer funding, or absorbed within the service, which will place further pressure on the effective delivery of the licensing function. Failure to set fees at an appropriate level may also weaken the Council's ability to demonstrate robust financial management, maintain effective regulatory oversight and ensure that, so far as is lawful and proportionate, the costs of licensing activity are borne by those who require or benefit from the licensing service rather than by the wider community.

6. Key risks and Opportunities

6.1. The Council makes every effort to recover regulatory and enforcement costs from those who are licensed. However, it is acknowledged that the Council's licensing fees and charges may be challenged through a number of routes, including service complaints to the Local Government Ombudsman and judicial review; hence, the importance of undertaking robust processes to set discretionary fees and charges.

6.2. The Council is permitted to include costs for clerical and administrative aspects when determining licence fees, but these must be reasonable and proportionate to the actual costs of the procedures. The costs of regulatory and enforcement activities, including enforcement to address unlicensed activity, can also be included. Only successful applicants can be required to make a contribution towards the regulatory and enforcement costs.

6.3. Where the Council intends to recover regulatory and enforcement costs, it cannot include these costs in the fee that is payable at the time any application is submitted. Such costs are only payable after the decision has been taken to grant or renew a licence. This means that for those licences that incur post application regulatory and enforcement costs, the fees are charged in two parts:

a) the first part is payable at the time an application is submitted and aims to recover the costs associated with the administrative procedures and formalities of the application process (this includes the costs of undertaking all the required checks relevant to each licence type); and
b) the second part is payable by the applicant only once the licence is granted or renewed and aims to recover the costs associated with the ongoing regulation and enforcement of the licencing regimes.

6.4. There are a number of licences that do not incur post application regulatory and enforcement costs. This is because the work undertaken as part of the application process is deemed to be proportionate to the level of risk associated with the activity that is controlled by these particular licence types. For these licences, there is only one fee payable and this is at the point of application.

6.5. The two-part fee is not applicable to hackney carriage, private hire and gambling related licences; consequently, for these licence types a single fee is payable at the point of application. The same is applicable to all statutory fees.

6.6. To reduce the risk of challenge to the Council, a financial modelling tool was introduced in 2013 to calculate licensing fees from 2014/15 onwards. This continues to be updated, modified and refined to take account of amendments to the law, changes made by licensing officers, recommendations form the Council's finance officers and to reflect ongoing changes to the way in which the licensing function is resourced.

6.7. Overall, the tool draws together detailed information regarding the costs associated with undertaking the administrative procedures and formalities associated with all licensing procedures, including the costs of investigating the background and suitability of applicants for licences together with the cost of monitoring the compliance of those who are licensed against the conditions of their licences. It also aims to demonstrate that the cost of enforcing the licensing regime against unlicensed operators has been considered and is included in licence fees. Enforcement costs are not included for joint hackney and private hire drivers' licences in line with specific provisions of the Local Government (Miscellaneous Provisions) Act 1976. Fees are compared on an ongoing rolling basis.

Risk	Mitigation	Link to Strategic Risk
Challenge to the lawfulness, reasonableness or proportionality of discretionary licensing fees and charges through complaint, Ombudsman referral or judicial review.	Maintain robust, evidence-based fee-setting processes, supported by the financial modelling tool, clear cost records and ongoing review of relevant legislation, officer input and finance advice.	Legal, governance and reputational risk.
Risk that fees recover costs that are not legally recoverable, are charged at the wrong point in the process, or exceed the actual cost of licensing procedures.	Apply the two-part fee structure where required, exclude non-recoverable enforcement costs where legislation requires, and ensure successful applicants only contribute to relevant regulatory and enforcement costs after grant or renewal.	Financial sustainability, legal compliance and governance risk.

Risk that licensing fee income does not accurately reflect the cost of administering, regulating and enforcing relevant licensing regimes over time.	Continue to update, modify and refine the financial modelling tool to reflect amendments to law, service processes, finance recommendations, officer time and changes to the way the licensing function is resourced.	Financial resilience, value for money and service-delivery risk.
Risk of reduced transparency or insufficient audit trail if fee calculations and assumptions are not clearly evidenced.	Draw together detailed information on administrative, suitability, monitoring and enforcement costs, retain clear supporting records and compare fees on an ongoing rolling basis.	Governance, assurance and reputational risk.
Risk of inconsistent treatment between licence types where different statutory requirements apply, including single-fee regimes and statutory fees.	Apply the correct fee route for each licence type, including single-fee arrangements for hackney carriage, private hire, gambling-related licences and statutory fees, with officer and finance review.	Legal compliance, governance and operational risk.
Opportunity to strengthen cost recovery, protect public funds and support a sustainable licensing service that is fair to applicants, licence holders and the wider Council.	Use annual and rolling fee reviews to ensure recoverable costs are properly reflected, deficits and surpluses are addressed over time, and charges remain proportionate and transparent.	Financial sustainability and best value.
Opportunity to improve confidence in the Council's licensing arrangements by demonstrating that fees are based on current evidence, lawful principles and proportionate regulation.	Continue collaborative review by licensing managers, licensing officers and finance officers, ensuring the model reflects operational practice and supports clear explanation to Members and stakeholders.	Reputational confidence, governance and effective regulation.

7. Council Priorities

7.1. The setting of licensing fees and charges on a cost-recovery basis directly supports the Council's Corporate Plan by helping to ensure that statutory and regulatory licensing functions are delivered in a financially sustainable, transparent and accountable way. The Corporate Plan identifies the need for the Council to become financially sustainable, with clear priorities and purpose, and to align

service activity and spending with the resources available. Recovering the lawful and reasonable costs of administering, regulating and monitoring licensing activity helps ensure that the cost of delivering the licensing service is met, as far as legislation permits, by those who benefit from or require the licensing process rather than being subsidised unnecessarily by council taxpayers.

7.2. This approach contributes to the Corporate Plan ambition of a sustainable council by supporting robust budget management, improving financial resilience and reducing pressure on wider Council resources. Where legislation allows costs to be recovered, effective fee setting ensures that the Licensing Service has the capacity to meet its statutory responsibilities, process applications, undertake appropriate checks, monitor compliance and maintain proportionate regulatory oversight. This is particularly important in the context of the Council's wider financial position, where services must demonstrate value for money, efficient use of resources and a clear link between operational activity and corporate priorities.

7.3. Cost recovery also supports good governance and transparent decision-making. Licensing fees must be based on evidence of the actual costs of the relevant licensing procedures and must be reasonable, proportionate and legally defensible. By using a structured financial modelling process, reviewing income and expenditure, and reporting proposed fees through the appropriate committee and Council governance routes, the Council can demonstrate that fees are not being used to generate profit or fund unrelated services, but are instead set to recover legitimate costs connected to the licensing regimes.

7.4. In addition, effective cost recovery helps protect service delivery and supports safe, inclusive and well-regulated communities. Licensing provides important safeguards for residents, businesses and visitors by ensuring that applicants are properly assessed, licence holders are monitored, and regulatory standards are maintained. Ensuring that these activities are properly funded allows the Council to continue delivering a proportionate, risk-based licensing service that supports public protection, confidence in local regulation and fair treatment of compliant businesses.

7.5. Overall, the review and setting of licensing fees and charges provides a practical example of the "golden thread" between the Corporate Plan, service planning, financial planning and operational delivery. It demonstrates how the Licensing Service contributes to a financially sustainable Council by recovering appropriate costs, maintaining lawful and transparent charging arrangements, supporting efficient service delivery and ensuring that resources are targeted to statutory duties and agreed priorities.

8. Financial Implications

8.1. The fees recommended in this report are subject to the 2027/28 fees policy, which will be presented to the Full Council in February 2027 for approval.

9. Legal and HR implications

9.1 Licensing decisions are taken in accordance with the Council's Constitution, relevant legislation, adopted licensing policies and approved procedures. There are no direct workforce implications arising from the recommendation.

10. Electoral Division Implications

10.1. This report has countywide application and does not give rise to implications limited to a particular electoral division.

11. Health, Social (including "Child Friendly Shropshire") and Economic Implications

11.1. As this report relates specifically to the setting and review of Licensing Fees and Charges, its purpose is financial and administrative in nature. The recommendations are concerned with ensuring that the Council's licensing functions recover appropriate costs in accordance with relevant legislative and financial requirements. As such, the Council's Health in All Policies approach is not directly applicable to this report, as the proposals do not introduce or amend service delivery arrangements, policy interventions, or operational activities that would have a direct impact on health, wellbeing, inequalities, or the wider determinants of health.

12. Equality and Diversity Implications

12.1. An Equality and Social Inclusion Impact Assessment has not been undertaken as the report does not concern the implementation of a new policy; the focus of the report is the review of licensing costs to ensure the Council is in a position to recoup its costs on a cost recovery basis in line with current legislative requirements.

12.2. The recommendations are not at variance with the Human Rights Act 1998 and are unlikely to result in any adverse Human Rights Act implications. The recommendations are in line with current legal procedures laid down in domestic licensing legislation and takes into consideration relevant European provisions and case law.

13. Climate Change, Biodiversity and Environmental Implications

13.1. There are no anticipated climate change or environmental impacts associated with the recommendations in this report.

14. Background Papers

1. Services Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market

2. Provision of Services Regulations 2009 - SI 2009 No 2999
3. Supreme Court Judgement in the case of R (on the application of Hemming and others v Westminster City Council – 29 April 2015 - [2015] UKSC 25 on appeal from [2013] EWCA Civ 591
4. Court of Justice for the European Union Judgement in the case of Hemming [2016] EUECJ C-316/15 (16 November 2016)
5. Mobile Homes Act 2013
6. The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018
7. The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020
8. The Animal Welfare (Primate Licences) (England) Regulations 2024

15. Appendices

Appendix A Licensing Act 2003 Statutory Fees
Appendix B Gambling Act 2005 Statutory Fees
Appendix C Explosives and Fireworks Legislation Statutory Fees
Appendix D Explosives and Fireworks Legislation Discretionary Fees
Appendix E Gambling Act 2005 Discretionary with Statutory Maximum Fees
Appendix F Hackney Carriage and Private Hire Discretionary Fees
Appendix G Other Legislation Discretionary Fees
Appendix H New Animal Legislation Discretionary Fees
Appendix I Relevant Protected Site Fees
Appendix J Relevant Protected Site Fees Policy Information
Appendix K Extracts from relevant licensing legislation providing legal framework within which local authorities may charge licensing fees
Appendix L Licensing costs, income and surplus/deficit

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Appendix A – Licensing Act 2003 Statutory Fees

Rateable Value Bands	A	B	C	D	E
Initial Application / Variation Fee	£100	£190	£315	£450	£635
Annual Fee:	£70	£180	£295	£320	£350
Variation Fee:	£100	£190	£315	£450	£635

All premises are licensable based on the non-domestic rateable value of the property as follows:

Rateable Value	Band
No value up to £4,300	**A**
£4,301 - £33,000	**B**
£33,001 - £87,000	**C**
£87,001 - £125,000	**D**
£125,001 and Above	**E**

Band	D (x 2)	E (x 3)
Premises in Bands D & E (whose primary business is the sale of alcohol)	**900**	**1905**
Premises in Bands D & E (whose primary business is the sale of alcohol) annual charge	**640**	**1050**

Exceptionally large events:

Additional Premises Fees can be charged for such events:

Number in attendance at any one time	Additional Application Fee	Additional Annual Fee
5,000 to 9,999	**£1,000**	**£500**
10,000 to 14,999	**£2,000**	**£1,000**
15,000 to 19,999	**£4,000**	**£2,000**
20,000 to 29,999	**£8,000**	**£4,000**
30,000 to 39,999	**£16,000**	**£8,000**
40,000 to 49,999	**£24,000**	**£12,000**
50,000 to 59,999	**£32,000**	**£16,000**
60,000 to 69,999	**£40,000**	**£20,000**
70,000 to 79,999	**£48,000**	**£24,000**
80,0000 to 89,999	**£56,000**	**£28,000**
90,000 and over	**£64,000**	**£32,000**

Personal Licences, Temporary Events and other fees:

Type of Application	Fee
• **Grant of Personal Licence**	**£37**
• **Temporary Event Notice**	**£21**
• **Theft, Loss etc. of Premises Licence or summary**	**£10.50**
• **Provisional Statement (where premises are being built)**	**£315.00**
• **Notification of change of name or address**	**£10.50**
• **Vary licence to specify individual as Premises Supervisor**	**£23**
• **Transfer of Premises Licence**	**£23**
• **Interim authority notice following death etc. of Licence holder**	**£23**
• **Theft, loss etc. of Certificate or summary**	**£10.50**
• **Notification of change of name or alteration of rules of club**	**£10.50**
• **Change of relevant registered address of club**	**£10.50**
• **Theft, loss etc. of Temporary Event Notice**	**£10.50**
• **Theft, loss etc. of Personal Licence**	**£10.50**
• **Duty to notify change of name or address**	**£10.50**
• **Right of freeholder etc. to be notified of licensing matters**	**£21**
• **Minor Variation**	**£89**
• **Removal of DPS at Community Premises**	**£23**

Ongoing fees

Information to band coding

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Appendix B - Gambling Act 2005 Statutory Fees

Licence Type	2026/27 Fees (£)	2027/28 Fees (£)	Difference (£)	Difference (%)
Prize Gaming Permit - New	300.00	300.00	0.00	0%
Prize Gaming Permit - Renewal	300.00	300.00	0.00	0%
Prize Gaming Permit - Request for a new name to be substituted for the old name specified on a permit	25.00	25.00	0.00	0%
Prize Gaming Permit - Copy of a Permit	15.00	15.00	0.00	0%
Club Machine Permit - New	200.00	200.00	0.00	0%
Club Machine Permit - New - Fast Track procedure for holder of a club premises certificate	100.00	100.00	0.00	0%
Club Machine Permit - Annual Fee	50.00	50.00	0.00	0%
Club Machine Permit - Renewal	200.00	200.00	0.00	0%
Club Machine Permit -Renewal - Fast Track procedure for holder of a club premises certificate	100.00	100.00	0.00	0%
Club Machine Permit - Variation	100.00	100.00	0.00	0%
Club Machine Permit - Copy	15.00	15.00	0.00	0%
Club Gaming Permit - New	200.00	200.00	0.00	0%
Club Gaming Permit - New - Fast Track procedure for holder of a club premises certificate	100.00	100.00	0.00	0%
Club Gaming Permit - Annual Fee	50.00	50.00	0.00	0%
Club Gaming Permit - Renewal	200.00	200.00	0.00	0%
Club Gaming Permit -Renewal - Fast Track procedure for holder of a club premises certificate	100.00	100.00	0.00	0%
Club Gaming Permit - Variation	100.00	100.00	0.00	0%
Club Gaming Permit - Copy	15.00	15.00	0.00	0%
Licenced Premises Gaming Machine Permit - New	150.00	150.00	0.00	0%
Licenced Premises Gaming Machine Permit - Annual Fee	50.00	50.00	0.00	0%
Licenced Premises Gaming Machine Permit - Variation	100.00	100.00	0.00	0%
Licenced Premises Gaming Machine Permit - Transfer	25.00	25.00	0.00	0%
Licenced Premises Gaming Machine Permit - Request for a new name to be substituted for the old name specified on a permit	25.00	25.00	0.00	0%
Licenced Premises Gaming Machine Permit - Copy of a Permit	15.00	15.00	0.00	0%
Gaming Machines Automatic Entitlement	50.00	50.00	0.00	0%
Unlicenced Family Entertainment Centre - New	300.00	300.00	0.00	0%
Unlicenced Family Entertainment Centre - Renewal	300.00	300.00	0.00	0%
Unlicenced Family Entertainment Centre - Request for a new name to be substituted for the old name specified on a permit	25.00	25.00	0.00	0%
Unlicenced Family Entertainment Centre - Copy of a Permit	15.00	15.00	0.00	0%
Small Society Lottery - New	40.00	40.00	0.00	0%
Small Society Lottery - Renewal	20.00	20.00	0.00	0%

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Appendix C – Explosives and Fireworks Legislation Statutory Fees

NEW -Licence to store explosives where, by virtue of regulation 27 of, and schedule 5 to, the 2014 regulations, a minimum separation distance of **greater than 0 metres** is prescribed.	
One year's duration	£202.00
Two year's duration	£266.00
Three year's duration	£333.00
Four year's duration	£409.00
Five year's duration	£463.00

Renewal of licence to store explosives where a minimum separation distance of **greater than 0 metres** is prescribed.	
One year's duration	£94.00
Two year's duration	£161.00
Three year's duration	£226.00
Four year's duration	£291.00
Five year's duration	£357.00

NEW Licence to store explosives where no minimum separation distance or a **0 metres minimum** separation distance is prescribed.	
One year's duration	£119.00
Two year's duration	£154.00
Three year's duration	£190.00
Four year's duration	£226.00
Five year's duration	£260.00

Renewal of licence to store explosives where no minimum separation distance or a **0 metres minimum** separation distance is prescribed	
One year's duration	£59.00
Two year's duration	£94.00
Three year's duration	£132.00
Four year's duration	£166.00
Five year's duration	£202.00

Varying a licence	
Varying name of licensee or address of site	£40.00
Transfer of licence	£40.00
Replacement of licence	£40.00

Licensing of Firework Suppliers	
One year's duration	£500

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Appendix D – Explosives and Fireworks Legislation Discretionary Fees

Type	2026/27	2027/28
Any other kind of variation (Not varying name of licensee or address of site)	£743.00*	£743.00
Explosives Assent Procedure	£470.00	£470.00
Copy of public register entry (per individual entry)	£55.00	£55.00

*The reasonable cost to the licensing authority of having the work carried out

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Appendix E Gambling Act 2005 Discretionary with Statutory Maximum Fees

Licence Type				
All Casinos	See Gambling Act 2005 Policy Statement 2025 to 2028 paragraphs 36.1 and 36.2			
Licence Type	**2026/27 Fees (£)**	**Proposed Fees 2027/28 (£)**	**Difference (£)**	**Difference (%)**
Bingo premises licence				
Fee in respect of new premises	2,020.00	2,020.00	0.00	0.0%
Annual Fee	1,000.00	1,000.00	0.00	0.0%
Fee for application to vary licence	1,750.00	1,750.00	0.00	0.0%
Fee for application to transfer a licence	1,200.00	1,200.00	0.00	0.0%
Fee for application to reinstate a licence	1,200.00	1,200.00	0.00	0.0%
Fee for application for provisional statement	2,007.00	2,007.00	0.00	0.0%
Fee for application for post provisional statement		1,640.00		
Adult Gaming Centre Premises Licence				
Fee in respect of new premises	2,000.00	2,000.00	0.00	0.0%
Annual Fee	1,000.00	1,000.00	0.00	0.0%
Fee for application to vary licence	1,000.00	1,000.00	0.00	0.0%
Fee for application to transfer a licence	1,200.00	1,200.00	0.00	0.0%
Fee for application to reinstate a licence	1,200.00	1,200.00	0.00	0.0%
Fee for application for provisional statement	2,000.00	2,000.00	0.00	0.0%
Fee for application for post provisional statement		1,750.00		
Betting Premises (track) licence				
Fee in respect of new premises	2,020.00	2,020.00	0.00	0.0%
Annual Fee	1,000.00	1,000.00	0.00	0.0%
Fee for application to vary licence	1,250.00	1,250.00	0.00	0.0%
Fee for application to transfer a licence	950.00	950.00	0.00	0.0%
Fee for application to reinstate a licence	950.00	950.00	0.00	0.0%
Fee for application for provisional statement	2,007.00	2,007.00	0.00	0.0%
Fee for application for post provisional statement		1,750.00		
Family Entertainment Centre Premises Licence				
Fee in respect of other premises	2,000.00	2,000.00	0.00	0.0%
Annual Fee	750.00	750.00	0.00	0.0%
Fee for application to vary licence	1,000.00	1,000.00	0.00	0.0%

Appendix E Gambling Act 2005 Discretionary with Statutory Maximum Fees

Fee for application to transfer a licence	950.00	950.00	0.00	0.0%
Fee for application to reinstate a licence	950.00	950.00	0.00	0.0%
Fee for application for provisional statement	2,000.00	2,000.00	0.00	0.0%
Fee for application for post provisional statement		1,750.00		
Betting Premises (other) licence				
Fee in respect of other premises	2,020.00	2,020.00	0.00	0.0%
Annual Fee	600.00	600.00	0.00	0.0%
Fee for application to vary licence	1,500.00	1,500.00	0.00	0.0%
Fee for application to transfer a licence	1,200.00	1,200.00	0.00	0.0%
Fee for application to reinstate a licence	1,200.00	1,200.00	0.00	0.0%
Fee for application for provisional statement	2,007.00	2,007.00	0.00	0.0%
Fee for application for post provisional statement		1,750.00		
Temporary Use of Premises				
Temporary Use Notice	500.00	500.00	0.00	0.0%
Occasional Use Notice	No Fee	No Fee	No Fee	No Fee
Replacement of an endorced copy of a Temporary Use Notice	25.00	25.00	0.00	0.0%
Applicable to all gaming licences				
Change of circumstances fee - for all gaming licences	50.00	50.00	0.00	0.0%
Fee for copy licence - for all gaming licences	25.00	25.00	0.00	0.0%

Appendix F - Hackney Carriage and Private Hire Discretionary Fees

2026 - 2027		2027 - 2028				
Licence Type	**2026/27 Fee (£)**	**Licence Type**	**Calculated 2027/28 Fee (£) without surplus/deficit adjustment**	**Proposed 2027/28 Fee (£) including surplus/deficit adjustment**	**Difference (£)**	**Difference (%)**
Drivers						
Driver's Joint Badge New 3 year (inc. DVLA, DBS check, first knowledge test, first driver training assessment and Safeguarding Course)	341.00	Driver's Joint Badge New 3 year (inc. DVLA, DBS check, first knowledge test, first driver training assessment and Safeguarding Course)	317.42	341.00	0.00	0.0%
Driver's Joint Badge New 3 year (inc. DVLA, first knowledge test, first driver training assessment and Safeguarding Course)	304.00	Driver's Joint Badge New 3 year (inc. DVLA, first knowledge test, first driver training assessment and Safeguarding Course)	259.56	304.00	0.00	0.0%
Driver's Badge 3 yr Renewal (inc. DVLA and Safeguarding Course)	274.00	Driver's Badge 3 yr Renewal (inc. DVLA and Safeguarding Course)	188.17	274.00	0.00	0.0%
Driver's Knowledge Test	86.00	Driver's Knowledge Test	55.25	86.00	0.00	0.0%
Driver additional DBS	99.00	Driver additional DBS	105.37	105.00	6.00	6.1%
Vehicle Licensee Transfer	108.00	Vehicle Licensee Change	143.22	143.00	35.00	32.4%
Driver Badge replacement following damage or loss	50.00	Driver Badge replacement following damage or loss	41.19	50.00	0.00	0.0%
Driver Training assessment	89.00	Driver Training assessment	81.36	89.00	0.00	0.0%

Appendix F - Hackney Carriage and Private Hire Discretionary Fees

Safeguarding Training	51.00	Safeguarding Training	54.09	54.00	3.00	5.9%
Vehicles						
Standard Private Hire Vehicle - new	224.00	Standard Private Hire Vehicle - new	206.12	224.00	0.00	0.0%
Standard Private Hire Vehicle - renewal	230.00	Standard Private Hire Vehicle - renewal	206.37	230.00	0.00	0.0%
Standard Private Hire Vehicle - transfer	224.00	Standard Private Hire Vehicle - transfer	206.12	224.00	0.00	0.0%
Novelty Private Hire Vehicle - new	210.00	Novelty Private Hire Vehicle - new	192.36	210.00	0.00	0.0%
Novelty Private Hire Vehicle - renewal	245.00	Novelty Private Hire Vehicle - renewal	190.61	245.00	0.00	0.0%
Novelty Private Hire Vehicle - transfer	217.00	Novelty Private Hire Vehicle - transfer	190.36	217.00	0.00	0.0%
Executive Private Hire Vehicle - new	230.00	Executive Private Hire Vehicle - new	192.36	230.00	0.00	0.0%
Executive Private Hire Vehicle - renewal	266.00	Executive Private Hire Vehicle - renewal	194.87	266.00	0.00	0.0%
Executive Private Hire Vehicle - transfer	230.00	Executive Private Hire Vehicle - transfer	192.36	230.00	0.00	0.0%
Hackney Carriage Vehicle - new	213.00	Hackney Carriage Vehicle - new	202.00	213.00	0.00	0.0%
Hackney Carriage Vehicle - renewal	231.00	Hackney Carriage Vehicle - renewal	195.99	231.00	0.00	0.0%
Hackney Carriage Licence Transfer (transfer of existing licence to a new vehicle)	228.00	Hackney Carriage Licence Transfer (transfer of existing licence to a new vehicle)	201.60	228.00	0.00	0.0%

Appendix F - Hackney Carriage and Private Hire Discretionary Fees

Exterior plate replacement following damage, loss and for trailer	50.00	Exterior plate replacement following damage or loss	48.33	50.00	0.00	0.0%
Internal plate replacement following damage or loss	50.00	Internal plate replacement following damage or loss	49.58	50.00	0.00	0.0%
Fare Card replacement following damage or loss	3.00	Fare Card replacement following damage or loss	3.00	3.00	0.00	0.0%
Private Hire Door Signs (pair)	50.00	Private Hire Door Signs (pair)	55.04	55.00	5.00	10.0%
Licence Holder Transfer/Change of Details	33.00	Licence Holder Transfer/change of Details	40.83	41.00	8.00	24.2%

2026 - 2027		2027 - 2028				
Licence Type	**2026/27 Fee (£)**	**Licence Type**	**Calculated 2027/28 Fee (£) without surplus/deficit adjustment**	**Calculated 2027/28 Fee (£) including surplus/deficit adjustment**	**Difference (£)**	**Difference (%)**
Private Hire Operator - 5 Year - New						
Private Hire Operator Small - up to and including 30 vehicles and one base	479.00	Private Hire Operator Small - up to and including 30 vehicles and one base	309.46	479.00	0.00	0.0%
Private Hire Operator Large - 31 vehicles and more and/or more than one base	1034.00	Private Hire Operator Large - 31 vehicles and more and/or more than one base	612.16	1034.00	0.00	0.0%
Private Hire Operator - 5 Year - Renewal						
Private Hire Operator Small - up to and including 30 vehicles and one base	522.00	Private Hire Operator Small - up to and including 30 vehicles and one base	309.71	522.00	0.00	0.0%

Appendix F - Hackney Carriage and Private Hire Discretionary Fees

Private Hire Operator Large - 31 vehicles and more and/or more than one base	1186.00	Private Hire Operator Large - 31 vehicles and more and/or more than one base	615.57	1186.00	0.00	0.0%
Private Hire Operator - Change of Director	New Fee	Private Hire Operator - Change of Director	165.71	166.00	0.00	0.0%

Appendix G - Other Discretionary Fees

2026-2027			2027-2028					
Licence Type	**2026/27 Fee (£)**		**Licence Type**	**Calculated 2027/28 Fee (£) without surplus/deficit adjustment**	**Proposed 2027/28 Fee (£) including surplus/deficit adjustment**		**Difference (£)**	**Difference (%)**
Public Health								
Acupuncture Premises, inc. 1 person	333.00		Additional persons included on same application £29/person	129.78	333.00	Additional persons included on same application £29/person	-	0.0%
Acupuncture Person	160.00		When application submitted separately from premises application	129.78	160.00	When application submitted separately from premises application	-	0.0%
Electrolysis Premises, inc. 1 person	333.00		Additional persons included on same application £29/person)	129.78	333.00	Additional persons included on same application £29/person)	-	0.0%
Electrolysis Person	160.00		When application submitted separately from premises application	129.78	160.00	When application submitted separately from premises application	-	0.0%
Cosmetic-piercing Premises, inc. 1 person	333.00		Additional persons included on same application £29/person	129.78	333.00	Additional persons included on same application £29/person	-	0.0%
Cosmetic-piercing Person	160.00		When application submitted separately from premises application	129.78	160.00	When application submitted separately from premises application	-	0.0%
Tattooing Premises, inc. 1 person	333.00		Additional persons included on same application £29/person	129.78	333.00	Additional persons included on same application £29/person	-	0.0%

Appendix G Other Legislation Discretionary Fees FINAL

Tattooing Person	160.00		When application submitted separately from premises application	129.78	160.00	When application submitted separately from premises application	-	0.0%
Animals								
Dangerous Wild Animals (new) - where total licensing procedure takes no more than 9 hrs	295.00	+ vet fees; if exceeds 9 hrs + hourly charge for each additional hour or part therof @£24/hour	Dangerous Wild Animals (new) - where total licensing procedure takes no more than 9 hrs	217.00	295.00	+ vet fees; if exceeds 9 hrs + hourly charge for each additional hour or part therof @£25/hour	-	0.0%
Dangerous Wild Animals (renewal) - where total licensing procedure takes no more than 3.75 hrs	273.00	+ vet fees; if exceeds 9 hrs + hourly charge for each additional hour or part therof @£24/hour	Dangerous Wild Animals (renewal) - where total licensing procedure takes no more than 3.75 hrs	204.40	273.00	+ vet fees; if exceed 3.75 hrs + hourly charge for each additional hour or part therof @ £25 /hour	-	0.0%

Appendix G Other Legislation Discretionary Fees FINAL

Dangerous Wild Animals (variation) - where total licensing procedure takes no more than 3.75 hrs	233.00	+ vet fees; if exceeds 9 hrs + hourly charge for each additional hour or part therof @£24/hou	Dangerous Wild Animals (variation) - where total licensing procedure takes no more than 3.75 hrs	249.56	250.00	+ vet fees; if exceed 3.75 hrs + hourly charge for each additional hour or part therof @ £25 /hour	17.00	7.3%
Zoos (new)	981.00	+ vet fees	Zoos (new)	497.40	981.00	+ vet fees Initial application fee £196.89 Fee due after licence granted £784.11	-	0.0%
Zoos (renewal)	921.00	+ vet fees	Zoos (renewal)	458.60	921.00	+ vet fees Initial renewal fee £207.22 Fee due after renewal granted £713.78	-	0.0%
Zoos (transfer)	392.00		Zoos (transfer)	434.36	434.00	+ vet fees initial fee £113.53 Fee due after licence granted £320.47	42.00	10.7%
Zoos (alteration)	222.00		Zoos (alteration)	242.16	242.00	+ vet fees Initial renewal fee £157.40 Fee due after licence granted £84.60	20.00	9.0%
Primates Licensing								
Keeping Primates (New)	510.00			550.51	551.00	+ vet fees Initial fee £326.74 Fee due after licence granted £224.26	41.00	8.0%
Keeping Primates (Renewal)	476.00			508.91	509.00	+ vet fees Initial fee £336.91 Fee due after licence granted £172.09	33.00	6.9%

Appendix G Other Legislation Discretionary Fees FINAL

Keeping Primates (Premises Variation)	379.00			405.15	405.00	+ vet fees Initial fee £297.60 Fee due after licence granted £107.40	26.00	6.9%
Keeping Primates (Animal Variation)	312.00			329.98	330.00	+ vet fees Initial fee £261.72 Fee due after licence granted £68.28	18.00	5.8%
Keeping Primates (Variation without inspection)	71.00			71.64	72.00		1.00	1.4%
Keeping Primates (Surrender)	71.00			71.64	72.00		1.00	1.4%
Scrap Metal								
Scrap Metal Dealer - Site (new)	785.00		Scrap Metal Dealer - Site (new)	460.05	785.00	Initial application fee £273.81 Fee due after licence granted £511.19	-	0.0%
Scrap Metal Dealer - Site (renewal)	3063.00		Scrap Metal Dealer - Site (renewal)	460.05	3,063.00	Initial renewal application fee £1068.37 Fee due after renewal granted £1994.63	-	0.0%
Scrap Metal Dealer - Collectors (new)	263.00		Scrap Metal Dealer - Collectors (new)	284.80	285.00	Initial application fee £178.41 Fee due after licence granted £106.59	22.00	8.4%

Scrap Metal Dealer - Collectors (renewal)	496.00		Scrap Metal Dealer - Collectors (renewal)	286.41	496.00	Initial renewal application fee £311.64 Fee due after renewal granted £184.36	-	0.0%
Scrap Metal Dealer Site Manager Variation	155.00		Scrap Metal Dealer Site Manager Variation	165.61	166.00		11.00	7.1%
Scrap Metal Dealer - Site/Collector Licensee Name - Variation (not transfer of licensee)	58.00		Scrap Metal Dealer - Site/Collector Licensee Name - Variation (not transfer of licensee)	51.92	58.00		-	0.0%
Scrap Metal Dealer - collector to site variation	532.00		Scrap Metal Dealer - collector to site variation	322.23	532.00	Initial application fee £272.22 Fee due after variation granted £259.78	-	0.0%
Scrap Metal Dealer - site to collector variation	241.00		Scrap Metal Dealer - site to collector variation	259.74	260.00	Initial application fee £180.78 Fee due after variation granted £79.22	19.00	7.9%
Sex Establishments								
Sex Establishments (New)	2,838.00		Sex Establishments (New)	703.98	2,838.00		-	0.0%
Sex Establishments (Renewal)	2,015.00		Sex Establishments (Renewal)	755.53	2,015.00		-	0.0%
Sex Establishments (Variation)	946.00		Sex Establishments (Variation)	210.51	946.00			0.0%
Sex Establishments (Transfer)	2,013.00		Sex Establishments (Transfer)	640.31	2,013.00		-	0.0%

Appendix G Other Legislation Discretionary Fees FINAL

Street Trading Consents/Licence								
Minimum charge for up to 7 days (the 7 days may be used at any time within a 12 month period commencing from the date the consent/licence is issued, but the dates must be confirmed on application)	425.00		Minimum charge for up to 7 days (the 7 days may be used at any time within a 12 month period commencing from the date the consent is issued, but the dates must be confirmed on application)	180.11	425.00		-	0.0%
Each additional day or part thereof	4.00		Each additional day or part thereof (the dates must be confirmed on application)	4.00	4.00		-	0.0%
Street Trading Consent/Licence - Annual	1,144.00		Street Trading Consents - Annual	245.60	1,144.00		-	0.0%
Street Trading Consent/Licence - Annual Renewal	1,147.00		Street Trading Consents - Annual Renewal	245.60	1,147.00		-	0.0%
Street Trading Event - Daily. Minimum charge for up to 7 days (the 7 days may be used at any time within a 12 month period commencing from the date the consent/licence is issued, but the dates must be confirmed on application)	243.00		Street Trading Event - Daily. Minimum charge for up to 7 days (the 7 days may be used at any time within a 12 month period commencing from the date the consent is issued, but the dates must be confirmed on application)	180.11	243.00		-	0.0%

Street Trading Event - Each additional day or part thereof (the dates must be confirmed on application)	4.00		Street Trading Event - Each additional day or part thereof (the dates must be confirmed on application)	4.00	4.00		-	0.0%
Street Trading Event - Annual	862.00		Street Trading Event - Annual	245.60	862.00		-	0.0%
Distribution of free printed matter								
Weekly permit	87.00		Weekly permit	75.19	87.00		-	0.0%
Monthly permit	124.00		Monthly permit	75.19	124.00		-	0.0%
Annual permit	162.00		Annual permit	75.19	162.00		-	0.0%
Miscellaneous								
Pleasure Boats & Vessels	241.00	+ marine surveyor's report fee	Pleasure Boats & Vessels	165.81	241.00	+ marine surveyor's report fee	-	0.0%
Gambling Act 2005 and Licensing Act 2003								
Copy of public register entry (per individual entry)	41.00		Copy of public register entry (per individual entry)	54.43	54.00		13.00	31.7%
Additional Administrative Charges (applicable to all licences)								
License holder transfer/change of details	54.00		License holder transfer/change of details (e.g. change of address/other minor changes)	53.64	54.00		-	0.0%
Lost Stolen Damanged	56.00		Lost Stolen Damanged	48.34	56.00		0.00	0.0%

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Appendix H - New Animal Legislation Discretionary Fees

2026-2027			2027-2028					
Licence Type	**2026/27 Fee (£)**		**Licence Type**	**Calculated 2027/28 Fee (£) without surplus/deficit adjustment**	**Proposed 2027/28 Fee (£) including surplus/deficit adjustment**		**Difference (£)**	**Difference (%)**
Animals								
Dog Day Care < 10 new	562.00		Dog Day Care < 10 new	329.07	562.00	Initial application fee £352.09 Fee due after licence granted £209.91	0.00	0.0%
Dog Day Care > 10 new	634.00		Dog Day Care > 10 new	365.90	634.00	Initial application fee £399.48 Fee due after licence granted £234.52	0.00	0.0%
Dog Day Care < 10 renewal	487.00		Dog Day Care < 10 renewal	316.54	487.00	Initial application fee £318.35 Fee due after licence granted £168.65	0.00	0.0%
Dog Day Care > 10 renewal	537.00		Dog Day Care > 10 renewal	353.37	537.00	Initial application fee £351.36 Fee due after licence granted £185.64	0.00	0.0%
Dog Day Care < 10 additional activity	182.00		Dog Day Care < 10 additional activity	189.17	189.00		7.00	3.8%
Dog Day Care > 10 additional activity	242.00		Dog Day Care > 10 additional activity	207.96	242.00		0.00	0.0%
Breeding for dogs < 10 new	597.00		Breeding for dogs < 10 new	342.62	597.00	Initial application fee £359.93 Fee due after licence granted £237.07	0.00	0.0%
Breeding for dogs > 10 new	674.00		Breeding for dogs > 10 new	379.45	674.00	Initial application fee £410.33 Fee due after licence granted £263.67	0.00	0.0%

Appendix H New Animal Legislation Discretionary Fees FINAL

Breeding for dogs < 10 renewal	489.00		Breeding for dogs < 10 renewal	336.36	489.00	Initial application fee £290.86 Fee due after licence granted £198.14	0.00	0.0%
Breeding for dogs > 10 renewal	513.00		Breeding for dogs > 10 renewal	373.19	513.00	Initial application fee £308.67 Fee due after licence granted £204.33	0.00	0.0%
Breeding for Dogs < 10 additional activity	233.00		Breeding for Dogs < 10 additional activity	212.84	233.00		0.00	0.0%
Breeding for Dogs > 10 additional activity	284.00		Breeding for Dogs > 10 additional activity	231.64	284.00		0.00	0.0%
Boarding for cats < 10 new	562.00		Boarding for cats < 10 new	329.07	562.00	Initial application fee £352.09 Fee due after licence granted £209.91	0.00	0.0%
Boarding for cats > 10 new	634.00		Boarding for cats > 10 new	365.90	634.00	Initial application fee £399.48 Fee due after licence granted £234.52	0.00	0.0%
Boarding for cats < 10 renewal	487.00		Boarding for cats < 10 renewal	316.54	487.00	Initial application fee £318.35 Fee due after licence granted £168.65	0.00	0.0%
Boarding for cats > 10 renewal	537.00		Boarding for cats > 10 renewal	353.37	537.00	Initial application fee £351.36 Fee due after licence granted £185.64	0.00	0.0%
Boarding for cats < 10 additional activity	182.00		Boarding for cats < 10 additional activity	189.17	189.00		7.00	3.8%
Boarding for cats > 10 additional activity	242.00		Boarding for cats > 10 additional activity	207.96	242.00		0.00	0.0%
Kennel Boarding < 10 animals new	563.00		Kennel Boarding < 10 animals new	335.33	563.00	Initial application fee £357.00 Fee due after licence granted £206.00	0.00	0.0%

Appendix H New Animal Legislation Discretionary Fees FINAL

Kennel Boarding > 10 animals new	636.00		Kennel Boarding > 10 animals new	365.90	636.00	Initial application fee £400.74 Fee due after licence granted £235.26	0.00	0.0%
Kennel Boardiing < 10 animals renewal	483.00		Kennel Boarding < 10 animals renewal	316.54	483.00	Initial application fee £315.74 Fee due after licence granted £167.26	0.00	0.0%
Kennel Boarding > 10 animals renewal	530.00		Kennel Boarding > 10 animals renewal	353.37	530.00	Initial application fee £346.78 Fee due after licence granted £183.22	0.00	0.0%
Kennel Boarding < 10 animals additional activity	182.00		Kennel Boarding < 10 animals additional activity	180.28	182.00		0.00	0.0%
Kennel Boarding > 10 additional activity	243.00		Kennel Boarding > 10 additional activity	191.36	243.00		0.00	0.0%
Home boarding < 10 animals new	562.00		Home boarding < 10 animals new	316.54	562.00	Initial application fee £367.38 Fee due after licence granted £194.62	0.00	0.0%
Home boarding > 10 animals new	634.00		Home boarding > 10 animals new	353.37	634.00	Initial application fee £414.83 Fee due after licence granted £219.17	0.00	0.0%
Home boarding < 10 animals renewal	487.00		Home boarding < 10 animals renewal	310.27	487.00	Initial application fee £325.36 Fee due after licence granted £161.64	0.00	0.0%
Home boarding > 10 animals renewal	537.00		Home boarding > 10 animals renewal	340.84	537.00	Initial application fee £365.43 Fee due after licence granted £171.57	0.00	0.0%
Home boarding < 10 animals additional activity	182.00		Home boarding < 10 animals additional activity	163.65	182.00		0.00	0.0%

Appendix H New Animal Legislation Discretionary Fees FINAL

Home boarding > 10 animals additional activity	245.00		Home boarding > 10 animals additional activity	180.28	245.00		0.00	0.0%
Selling animals as pets < 10 new	564.00		Selling animals as pets < 10 new	347.86	564.00	Initial application fee £343.65 Fee due after licence granted £220.35	0.00	0.0%
Selling animals as pets > 10 new	638.00		Selling animals as pets > 10 new	384.69	638.00	Initial application fee £392.05 Fee due after licence granted £245.95	0.00	0.0%
Selling animals as pets < 10 renewal	490.00		Selling animals as pets < 10 renewal	335.33	490.00	Initial application fee £310.71 Fee due after licence granted £179.29	0.00	0.0%
Selling animals as pets > 10 renewal	540.00		Selling animals as pets > 10 renewal	372.16	540.00	Initial application fee £343.93 Fee due after licence granted £196.07	0.00	0.0%
Selling animals for pets < 10 additional activity	208.00		Selling animals for pets < 10 additional activity	207.96	208.00		0.00	0.0%
Selling animals for pets > 10 additional activity	246.00		Selling animals for pets > 10 additional activity	226.75	246.00		0.00	0.0%
Keeping or training animals for exhibition < 10 new	564.00		Keeping or training animals for exhibition < 10 new	347.86	564.00	Initial application fee £343.65 Fee due after licence granted £220.35	0.00	0.0%
Keeping or training animals for exhibition > 10 new	638.00		Keeping or training animals for exhibition > 10 new	384.69	638.00	Initial application fee £392.05 Fee due after licence granted £245.95	0.00	0.0%
Keeping or training animals for exhibition < 10 renewal	561.00		Keeping or training animals for exhibition < 10 renewal	335.33	561.00	Initial application fee £355.73 Fee due after licence granted £205.27	0.00	0.0%

Appendix H New Animal Legislation Discretionary Fees FINAL

Keeping or training animals for exhibition > 10 renewal	634.00		Keeping or training animals for exhibition > 10 renewal	372.16	634.00	Initial application fee £403.79 Fee due after licence granted £230.21	0.00	0.0%
Keeping or training animals for exhibition < 10 additional activity	191.00		Keeping or training animals for exhibition < 10 additional activity	191.36	191.00		0.00	0.0%
Keeping or training animals for exhibition > 10 additional activity	252.00		Keeping or training animals for exhibition > 10 additional activity	252.32	252.00		0.00	0.0%
Hiring out horses < 10 new	602.00		Hiring out horses < 10 new	342.62	602.00	Initial application fee £362.95 Fee due after licence granted £239.05	0.00	0.0%
Hiring out horses > 10 new	675.00		Hiring out horses > 10 new	379.45	675.00	Initial application fee £410.94 Fee due after licence granted £264.06	0.00	0.0%
Hiring out horses < 10 renewal	529.00		Hiring out horses < 10 renewal	336.36	529.00	Initial application fee £314.65 Fee due after licence granted £214.35	0.00	0.0%
Hiring out horses > 10 renewal	578.00		Hiring out horses > 10 renewal	373.19	578.00	Initial application fee £347.78 Fee due after licence granted £230.22	0.00	0.0%
Hiring out horses annual vetinery inspection	85.00		Hiring out horses annual vet inspection	55.73	85.00	+ vet fees	0.00	0.0%
Hiring out horses < 10 additional activity	301.00		Hiring out horses < 10 additional activity	212.84	301.00		0.00	0.0%
Hiring out horses > 10 additional activity	328.00		Hiring out horses > 10 additional activity	231.64	328.00		0.00	0.0%
Licence variation with no inspection	65.00		Licence variation with no inspection	65.38	65.00		0.00	0.0%
Licence variation with an inspection < 10 animals	203.00		Licence variation with an inspection < 10 animals	213.80	214.00		11.00	5.4%

Licence variation with an inspection > 10 animals	220.00		Licence variation with an inspection > 10 animals	232.59	233.00		13.00	5.9%
Re-inspection request < 10 animals with no vet	199.00		Re-inspection request < 10 animals with no vet	210.70	211.00		12.00	6.0%
Re-inspection request > 10 animals with no vet	233.00		Re-inspection request > 10 animals with no vet	247.53	248.00		15.00	6.4%
Re-inspection request < 10 animals with a vet	233.00		Re-inspection request < 10 animals with a vet	248.05	248.00		15.00	6.4%
Re-inspection request > 10 animals with a vet	265.00		Re-inspection request > 10 animals with a vet	281.37	281.00		16.00	6.0%

Appendix I – Relevant Protected Site Fees

Type		2026/27 Fee	Proposed 2027/28 Fee
The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) 2014	New Application	£666.00	£694.00
The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) 2014	Renewal	£666.00	£694.00
The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) 2014	Annual Fee up to 5 conditions	£136.00	£136.00
The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) 2014	Annual Fee 6 – 10 conditions	£206.00	£206.00
The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) 2014	Annual Fee >10 conditions	£288.00	£288.00
Relevant Protected Site[1]	New Application 1 – 20 units	£792.00	£792.00
Relevant Protected Site	New Application 21 – 50 units	£869.00	£869.00
Relevant Protected Site	New Application 51 – 100 units	£918.00	£918.00
Relevant Protected Site	New Application >100 units	£969.00	£969.00
Relevant Protected Site	Alteration of conditions[2]	£874.00	£874.00
Relevant Protected Site	Transfer	£773.00	£773.00
Relevant Protected Site	Deposit of site rules or deletion notice	£54.00	£54.00

[1] As defined in The Caravan sites and Control of Development Act 1960 as amended by the Mobile Homes Act 2013

[2] whether by the variation or cancellation of existing conditions, or by the addition of new conditions, or by a combination of any such methods

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Appendix J – Relevant Protected Site Fees Policy Information

The information below will be published on the Councils website and updated annually when the fees are reviewed.

The law

The Caravan Sites and Control of Development Act 1960 as amended by the Mobile Homes Act 2013 (the Act) allows for the Council to fix fees for a new application for a Relevant Protected Site, fix a fee for the alteration of the site licence (whether by the variation or cancellation of existing conditions, or by the addition of new conditions, or by a combination of any such methods), fix a fee the transfer of a site licence, fix annual fees and prepare and publish a fees policy.

What is a Relevant Protected Site?

A Relevant Protected Site under the Act is a residential caravan site.[1]

Costs included when calculating fees

The salary cost of officer time incurred in the administration of licence fees, general administration costs for maintaining files, updating records and reconciliation of payments.

Site inspection costs including pre-inspection preparation, carrying out any risk assessment process considered necessary, the site inspection (including officer time, travelling time and mileage allowances), post inspection administration e.g., notifying the site owner of the details of compliance or non-compliance established during the inspection.

Re-inspection costs due to any non–compliance.

Licensing Officers training and research.

The maintenance, development, and licencing costs of IT systems.

Corporate oncosts e.g. Finance, Legal, Human Resources and building maintenance costs.

When are the fees payable?

Application fees, the alteration of the site licence and transfer fees are payable upon submission of the application or notification to the Council.

The law

The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020 allows for the Council to fix a fee for an application for inclusion in the register of fit and proper persons and prepare and publish a fees policy.

[1] it does not include any site licence which is granted for holiday use only or a site which is subject to conditions that include periods of time when no caravan may be stationed on land for human habitation.

Costs included when calculating fees

The salary cost of officer time incurred in the administration of any initial enquiries, telephone calls/letters requesting additional information from the site owner/applicant or third party in connection with the application.

Land Registry searches.

Officer time for reviewing the application including all documents and certificates, general administration costs for maintaining files, updating records, reconciliation of payments, the preparation of preliminary and final decision notices and updating the register.

Manager and Solicitors time for reviewing any representations made by applicants or responses from third parties and any reviews of decisions for defending appeals.

When are the fees payable?

Application fees are payable upon submission of an application.

The law

The Mobile homes (site rules) (England) Regulations 2014 allows the Council to determine a fee for the owner of a Relevant Protected Site to deposit site rules or a deletion notice with the local authority.

Costs included when calculating fees

The Council is required to maintain a register of site rules and publish a register of sites which have deposited their site rules, site rules are a set of rules created by the site owner with which residents must comply. The Council is required to be satisfied that new site rules being deposited by site owners have been made in accordance with the statutory procedure. In doing so the Council may levy a fee for the depositing of site rules or depositing of a deletion notice of site rules.

The salary cost of officer time incurred in the administration of licence fees, general administration costs for maintaining files, updating records and reconciliation of payments.

Licensing Officers training and research.

The maintenance, development, and licencing costs of IT systems.

Corporate oncosts e.g. Finance, Legal, Human Resources and building maintenance costs.

When are the fees payable?

Depositing of site rules or a deletion notice fees are payable upon submission to the Council.

When will the fees be reviewed?

All fees will be reviewed annually, taking into account the regulatory activity undertaken in the previous 12 months and any surplus/deficits.

Appendix K

Extracts from relevant licensing legislation providing legal framework within which local authorities may charge licensing fees

Local Government (Miscellaneous Provisions) Act 1982

Controls sex establishments, street trading, acupuncture, tattooing, semi-permanent skin colouring, cosmetic piercing and electrolysis

Sex establishments - Schedule 3 paragraph 19

An application for the grant, variation, renewal or transfer of a licence under this Schedule shall pay a reasonable fee determined by the appropriate authority.

Street Trading – Schedule 4 paragraph 9

(1) A district council may charge such fees as they consider reasonable for the grant or renewal of a street trading licence or a street trading consent.

(2) A council may determine different fees for different types of licence or consent and, in particular, but without prejudice to the generality of this sub-paragraph, may determine fees differing according—

(a) to the duration of the licence or consent;

(b) to the street in which it authorises trading; and

(c) to the descriptions of articles in which the holder is authorised to trade.

(3) A council may require that applications for the grant or renewal of licences or consents shall be accompanied by so much of the fee as the council may require, by way of a deposit to be repaid by the council to the applicant if the application is refused.

(4) A council may determine that fees may be paid by instalments.

(5) Where a consent is surrendered or revoked, the council shall remit or refund, as they consider appropriate, the whole or a part of any fee paid for the grant or renewal of the consent.

(6) A council may recover from a licence-holder such reasonable charges as they may determine for the collection of refuse, the cleansing of streets and other services rendered by them to him in his capacity as licence-holder.

(7) Where a licence—

(a) is surrendered or revoked; or

(b) ceases to be valid by virtue of paragraph 4(7) above,

the council may remit or refund, as they consider appropriate, the whole or a part—

(i) of any fee paid for the grant or renewal of the licence; or

(ii) of any charges recoverable under sub-paragraph (6) above.

(8) The council may determine—

(a) that charges under sub-paragraph (6) above shall be included in a fee payable under sub-paragraph (1) above; or

(b) that they shall be separately recoverable.

(9) Before determining charges to be made under sub-paragraph (6) above or varying the amount of such charges the council—

(a) shall give notice of the proposed charges to licence-holders; and

(b) shall publish notice of the proposed charges in a local newspaper circulating in their area.

(10) A notice under sub-paragraph (9) above shall specify a reasonable period within which representations concerning the proposed charges may be made to the council.

(11) It shall be the duty of a council to consider any such representations which are made to them within the period specified in the notice.

Acupuncture - Section 14 (6)

A local authority may charge such reasonable fees as they may determine for registration under this section.

Tattooing, semi-permanent skin colouring, cosmetic piercing and electrolysis – Section 15 (6)

A local authority may charge such reasonable fees as they may determine for registration under this section.

Local Government (Miscellaneous Provisions) Act 1976

Controls hackney carriages and private hire vehicles

Section 53 - Drivers' licences for hackney carriages and private hire vehicles

(2) Notwithstanding the provisions of the Act of 1847*, a district council may demand and recover for the grant to any person of a licence to drive a hackney carriage, or a private hire vehicle, as the case may be, such a fee as they consider reasonable with a view to recovering the costs of issue and administration and may remit the whole or part of the fee in respect of a private hire vehicle in any case in which they think it appropriate to do so.

*Town Police Clauses Act 1847

Section 70 - Fees for vehicle and operators' licences

(1) Subject to the provisions of subsection (2) of this section, a district council may charge such fees for the grant of vehicle and operators' licences as may be resolved by them from time to time and as may be sufficient in the aggregate to cover in whole or in part—

(a) the reasonable cost of the carrying out by or on behalf of the district council of inspections of hackney carriages and private hire vehicles for the purpose of determining whether any such licence should be granted or renewed;

(b) the reasonable cost of providing hackney carriage stands; and

(c) any reasonable administrative or other costs in connection with the foregoing and with the control and supervision of hackney carriages and private hire vehicles.

(2) The fees chargeable under this section shall not exceed—

(a) for the grant of a vehicle licence in respect of a hackney carriage, twenty-five pounds;

(b) for the grant of a vehicle licence in respect of a private hire vehicle, twenty-five pounds; and

(c) for the grant of an operator's licence, twenty-five pounds per annum;

or, in any such case, such other sums as a district council may, subject to the following provisions of this section, from time to time determine.

(3) (a) If a district council determine that the maximum fees specified in subsection (2) of this section should be varied they shall publish in at least one local newspaper circulating in the district a notice setting out the variation proposed, drawing attention to the provisions of paragraph (b) of this subsection and specifying the period, which shall not be less than twenty-eight days from the date of the first publication of the notice, within which and the manner in which objections to the variation can be made.

(b) A copy of the notice referred to in paragraph (a) of this subsection shall for the period of twenty-eight days from the date of the first publication thereof be deposited at the offices of the council which published the notice and shall at all reasonable hours be open to public inspection without payment.

(4) If no objection to a variation is duly made within the period specified in the notice referred to in subsection (3) of this section, or if all objections so made are withdrawn, the variation shall come into operation on the date of the expiration of the period specified in the notice or the date of withdrawal of the objection or, if more than one, of the last objection, whichever date is the later.

(5) If objection is duly made as aforesaid and is not withdrawn, the district council shall set a further date, not later than two months after the first specified date, on which the variation shall come into force with or without modification as decided by the district council after consideration of the objections.

(6) A district council may remit the whole or part of any fee chargeable in pursuance of this section for the grant of a licence under section 48 or 55 of this Act in any case in which they think it appropriate to do so.

Zoo Licensing Act 1981

Controls zoos – Section 15

(1) Subject to this section, the local authority may charge such reasonable fees as they may determine in respect of—

(a) applications for the grant, renewal or transfer of licences;

(b) the grant, renewal, alteration or transfer of licences;

(2) Any fee charged under paragraph (a) of subsection (1) in respect of an application shall be treated as paid on account of the fee charged under paragraph (b) on the grant, renewal or transfer applied for.

(2A) Subject to this section, the authority may charge to the operator of the zoo such sums as they may determine in respect of reasonable expenses incurred by them—

(a) in connection with inspections in accordance with section 9A and under sections 10 to 12;

(b) in connection with the exercise of their powers to make directions under this Act;

(c) in the exercise of their function under section 16E(4) of supervising the implementation of plans prepared under section 16E(2); and

(d) in connection with the exercise of their function under section 16E(7) or (8).

(2B) The authority's charge under subsection (2A)(d) shall take into account any sums that have been, or will fall to be, deducted by them from a payment under section 16F(7) in respect of their costs.

(3) In respect of any fee or other sum charged under this section, the local authority may, if so requested by the operator, accept payment by instalments.

(4) Any fee or other charge payable under this section by any person shall be recoverable by the local authority as a debt due from him to them.

(5) The local authority shall secure that the amount of all the fees and other sums charged by them under this section in a year is sufficient to cover the reasonable expenditure incurred by the authority in the year by virtue of this Act.

Dangerous Wild Animals Act 1976

Controls dangerous wild animals as listed in the Act – Section 1

(2) A local authority shall not grant a licence under this Act unless an application for it—

…. and

(e) is accompanied by such fee as the authority may stipulate (being a fee which is in the authority's opinion sufficient to meet the direct and indirect costs which it may incur as a result of the application).

Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018

The Regulations, made under the Animal Welfare Act 2006, repealed or revoked all previous legislation relating to the licensing of animal boarding establishments, dog breeding, dog day care, pet shops, performing animals and riding establishments.

(1) A local authority may charge such fees as it considers necessary for—

(a) the consideration of an application for the grant, renewal or variation of a licence including any inspection relating to that consideration, and for the grant, renewal or variation,

(b) the reasonable anticipated costs of consideration of a licence holder's compliance with these Regulations and the licence conditions to which the licence holder is subject in circumstances other than those described in sub-paragraph (a) including any inspection relating to that consideration,

(c) the reasonable anticipated costs of enforcement in relation to any licensable activity of an unlicensed operator, and

(d) the reasonable anticipated costs of compliance with regulation 29.

(2) The fee charged for the consideration of an application for the grant, renewal or variation of a licence and for any inspection relating to that consideration must not exceed the reasonable costs of that consideration and related inspection.

Public Health Acts Amendment Act 1907

Controls pleasure boats/vessels - Section 94

(1) The local authority may grant upon such terms and conditions as they may think fit licences for pleasure boats and pleasure vessels to be let for hire or to be used for carrying passengers for hire, and to the persons in charge of or navigating such boats and vessels, and may charge for each type of licence such annual fee as appears to them to be appropriate.

Environmental Protection Act 1990

Controls free printed matter – Schedule 3A paragraphs 3 & 4

3 (1) A principal litter authority may on the application of any person consent to that person or any other person (identified specifically or by description) distributing free printed matter on any land designated by the authority under this Schedule.

4 (1) A principal litter authority may require the payment of a fee before giving consent under paragraph 3 above.

(2) The amount of a fee under this paragraph is to be such as the authority may determine, but may not be more than, when taken together with all other fees charged by the authority under this paragraph, is reasonable to cover the costs of operating and enforcing this Schedule.

Gambling Act 2005

Statutory fees are prescribed for:-

- small society lotteries (Schedule 11 – Part 5)
- club gaming permits and club machine permits (Schedule 12)
- notification of gaming machines in alcohol licensed premises (Section 282)
- family entertainment centre gaming machine permits (Schedule 10)
- licensed premises gaming machine permits (Schedule 13)
- prize gaming permits (Schedule 14)

And, therefore, the licensing authority has no control over these fees. The following statutory instruments are relevant:-

- Small Society Lotteries (Registration of Non-Commercial Societies) Regulations 2007
- Gambling Act 2005 (Club Gaming and Club Machine Permits) Regulations 2007
- Gaming Machines in Alcohol Licensed Premises (Notification Fee) (England and Wales) Regulations 2007
- Gambling Act 2005 (Family Entertainment Centre Gaming Machine) (Permits) Regulations 2007
- Gambling Act 2005 (Licensed Premises Gaming Machine Permits) (England and Wales) Regulations 2007
- Gambling Act 2005 (Prize Gaming) (Permits) Regulations 2007

The licensing authority must determine the fees, up to certain statutory maximums, that are applicable to premises licences, e.g. adult gaming centres, betting at race tracks, betting shops, bingo premises, casinos and for temporary use notices. The Gambling (Premises Licence Fees) (England and Wales) Regulations 2007 and the Gambling (Temporary Use Notices) Regulations 2007 set the relevant statutory maximums. In addition, Section 212 of the Act states:-

(2) …. the authority—

(a) shall determine the amount of the fee,

(b) may determine different amounts for different classes of case specified in the regulations (but may not otherwise determine different amounts for different cases),

(c) shall publish the amount of the fee as determined from time to time, and

(d) shall aim to ensure that the income from fees of that kind as nearly as possible equates to the costs of providing the service to which the fee relates (including a reasonable share of expenditure which is referable only partly or only indirectly to the provision of that service).

(3) For the purposes of subsection (2)(d) a licensing authority shall compare income and costs in such manner, at such times and by reference to such periods as the authority, having regard to any guidance issued by the Secretary of State, think appropriate.

In addition, where the licensing authority is required to maintain licensing registers, the authority may determine fees for providing access to, making copies of and/or providing information to members of the public from those registers.

Premises licences (Section 156)

(1) A licensing authority shall—

(a) maintain a register of premises licences issued by the authority together with such other information as may be prescribed,

(b) make the register and information available for inspection by members of the public at all reasonable times, and

(c) make arrangements for the provision of a copy of an entry in the register, or of information, to a member of the public on request.

(2) A licensing authority may refuse to provide a copy of an entry or of information unless the person seeking it pays a reasonable fee specified by the authority.

Small society lotteries (Schedule 11 Part 5 paragraph 55)

(1) Where a statement is sent to a local authority under paragraph 39 the authority shall—

(a) retain it for at least 18 months,

(b) make it available for inspection by members of the public at all reasonable times, and

(c) make arrangements for the provision of a copy of it or part of it to any member of the public on request.

(2) But a local authority may refuse to provide access or a copy unless the person seeking access or a copy pays a fee specified by the authority.

(3) A local authority may not specify a fee under sub-paragraph (2) which exceeds the reasonable cost of providing the service sought (but in calculating the cost of providing a service to a person the authority may include a reasonable share of expenditure which is referable only indirectly to the provision of that service).

Club gaming permits and club machine permits (Schedule 12 paragraph 26)

(1) A licensing authority shall—

(a) maintain a register of permits issued by the authority together with such other information as may be prescribed,

(b) make the register and information available for inspection by members of the public at all reasonable times, and

(c) make arrangements for the provision of a copy of an entry in the register, or of information, to a member of the public on request.

(2) A licensing authority may refuse to provide a copy of an entry or of information unless the person seeking it pays a reasonable fee specified by the authority.

Temporary Use Notice (Section 234)

1) A licensing authority shall—

(a) maintain a register of temporary use notices given to them together with such other information as may be prescribed,

(b) make the register and information available for inspection by members of the public at all reasonable times, and

(c) make arrangements for the provision of a copy of an entry in the register, or of information, to a member of the public on request.

(2) A licensing authority may refuse to provide a copy of an entry or of information unless the person seeking it pays a reasonable fee specified by the authority.

Family entertainment centre gaming machine permits (Schedule 10 paragraph 23)

(1) A licensing authority shall—

(a) maintain a register of permits issued by the authority together with such other information as may be prescribed,

(b) make the register and information available for inspection by members of the public at all reasonable times, and

(c) make arrangements for the provision of a copy of an entry in the register, or of information, to a member of the public on request.

(2) A licensing authority may refuse to provide a copy of an entry or of information unless the person seeking it pays a reasonable fee specified by the authority.

Licensed premises gaming machine permits (Schedule 13 paragraph 22)

(1) A licensing authority shall—

(a) maintain a register of permits issued by the authority together with such other information as may be prescribed,

(b) make the register and information available for inspection by members of the public at all reasonable times, and

(c) make arrangements for the provision of a copy of an entry in the register, or of information, to a member of the public on request.

(2) A licensing authority may refuse to provide a copy of an entry or of information unless the person seeking it pays a reasonable fee specified by the authority.

Prize gaming permits (Schedule 14 paragraph 23)

(1) A licensing authority shall—

(a) maintain a register of permits issued by the authority together with such other information as may be prescribed,

(b) make the register and information available for inspection by members of the public at all reasonable times, and

(c) make arrangements for the provision of a copy of an entry in the register, or of information, to a member of the public on request.

(2) A licensing authority may refuse to provide a copy of an entry or of information unless the person seeking it pays a reasonable fee specified by the authority.

Scrap Metal Dealers Act 2013

Controls buyers/sellers of scrap metal and motor salvage operators (Section 5 Schedule 1 paragraph 6)

(1) An application must be accompanied by a fee set by the authority.

(2) In setting a fee under this paragraph, the authority must have regard to any guidance* issued from time to time by the Secretary of State with the approval of the Treasury.

*Scrap Metal Dealers Act 2013: guidance on licence fee charges – issued by Home Office 12 August 2013

Licensing Act 2003

Statutory fees for premises licences, club premises certificates, temporary event notices and personal licences are currently prescribed by the Licensing Act 2003 (Fees) Regulations 2005. The licensing authority has no control over these fees.

In addition, there is a requirement to maintain a register and make it available for inspection without payment but if requested to provide a copy of information contained in the register a fee may be charged under Section 8 of the Act.

(4) If requested to do so by any person, a licensing authority must supply him with a copy of the information contained in any entry in its register in legible form.

(5) A licensing authority may charge such reasonable fee as it may determine in respect of any copy supplied under subsection (4).

Appendix K

Caravan Sites and Control of Development Act 1960

Under the Caravan Sites and Control of Development Act 1960, as amended by the Mobile Homes Act 2013, licensing authorities are permitted to charge fees for the licensing of residential caravan sites with effect from 1 April 2014.

(2A) A local authority in England may require a relevant protected site application in respect of land in their area to be accompanied by a fee fixed by the authority.

5A Relevant protected sites: annual fee

(1) A local authority in England who have issued a site licence in respect of a relevant protected site in their area may require the licence holder to pay an annual fee fixed by the local authority.

(2) When requiring a licence holder to pay an annual fee under this section, a local authority must inform the licence holder of the matters to which they have had regard in fixing the fee for the year in question (in particular, the extent to which they have had regard to deficits or surpluses in the accounts for the annual fee for previous years).

(1B) A local authority in England may require an application by the holder of a site licence in respect of a relevant protected site in their area for the alteration of the conditions attached to the site licence to be accompanied by a fee fixed by the local authority.

(1A) A local authority in England may require an application for consent to the transfer of a site licence in respect of a relevant protected site in their area to be accompanied by a fee fixed by the local authority.

Explosives and Fireworks

The Health and Safety and Nuclear (Fees) (Amendment) and Gas Safety (Miscellaneous Amendment) Regulations 2024

Schedule 7, Part 2

Fireworks (Amendment) Regulations 2004 (SI 2004/3262)

(7) A local licensing authority shall charge a fee of £500 a year in connection with the grant of a licence in accordance with this regulation.

The Animal Welfare (Primate Licences) (England) Regulations 2024

These regulations for charging a licence fee comes into effect on the 6 April 2026

13. A local authority may—

(a)charge a fee in respect of any application relating to a primate licence under this Part;

(b)charge a fee in respect of any inspection which it must or may arrange under this Part.

Licences for which the licensing authority is NOT permitted to charge

- **House-to-house collections:** House to House Collections Act 1939
- **Street collections:** Police, Factories, etc. (Miscellaneous Provisions) Act 1916

Appendix L – Licensing Costs, Income and Surplus/Deficit

Table 1 – All Licences

	Overall (£)	HCPH* (£)	Licensing Act 2003 (£)	Public Health (£)	Animals (£)	Explosives (£)	Scrap Metal (£)	Relevant Protected Sites (£)	Misc.** (£)	Gambling Act 2005 (£)
Total Costs	948,393	442,365	245,814	48,306	105,719	16,127	18,214	2,448	52,391	17,009
Total Income	(818,102)	(323,896)	(344,844)	(17,331)	(52,269)	(4,316)	(19,146)	(2,491)	(31,922)	(21,887)
(Surplus) / Deficit 2025/26	130,291	118,469	(99,030)	30,975	53,450	11,811	(932)	(43)	20,469	(4,878)

*Hackney carriage, private hire vehicle and operator licences and hackney carriage and private hire vehicle drivers' licences – see Table 2 for further breakdown
** Includes caravan site licences, sex establishments, free printed matter, street collections, street trading, pleasure boats and vessels

Table 2 – Hackney Carriage and Private Hire Licences

	Hackney Carriages (£)	Private Hire Vehicles (£)	Joint Drivers (£)	Operators (£)
Total Costs	19,812	243,169	160,839	18,545
Total Income	(14,600)	(185,167)	(109,180)	(14,949)
(Surplus) / Deficit 2025/26	5,212	58,002	51,659	3,596

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Committee	Strategic Licensing Committee
Date and Time	7 October 2026 Public

Exercise of Delegated Powers Report

Cabinet Member:	Councillor Roger Evans – Portfolio Holder for Finance
Lead Director:	Richard Philips Service Director - Legal & Governance (Monitoring Officer)
Service Area:	Transactional Management and Licensing
Report Author	Mandy Beever, Transactional Management and Licensing Manager
Officer contact details	01743 251702 Mandy.Beever@shropshire.gov.uk
Electoral Divisions Affected	All
Key Decision?	Not Key Decision
Cabinet Forward Plan	Not Applicable
Report considered by	Strategic Licencing Committee 7 October 2026

1. Purpose of Report

1.1. This report provides the Strategic Licensing Committee with details of licences issued or varied under delegated powers between 1 February 2026 and 31 August 2026, together with a summary of applications considered by the relevant sub-committees during that period.

2. Recommendations

2.1. The Strategic Licensing Committee is asked to note the position set out in this report.

3. Background

3.1. Information on licences issued by officers under delegated powers is reported to the Committee periodically. Delegated authority enables routine and uncontested applications to be determined efficiently, while ensuring that matters requiring Member consideration are referred to the appropriate sub-committee.

3.2. Licensing officers have been given delegated powers to issue or amend licences, providing no objections have been received in the case of licences issued under the Licensing Act or regarding general and public health licences.

3.3. Further procedures have been approved for officers with direct line management responsibility for Licensing to use their delegated powers to refuse, suspend or revoke driver, vehicle, and operator licences.

3.4. This report gives details of the licences issued and the variations that have been made between 1 February 2026 and 31 August 2026 and a summary of applications considered by the Committee.

4. Summary of Main Proposals

4.1. The Council's licensing framework delegates authority to officers to grant or vary licences where the relevant statutory and policy requirements are met and no representations or objections require determination by Members. Approved procedures also enable appropriately authorised managers to refuse, suspend or revoke hackney carriage, private hire driver, vehicle and operator licences where policy criteria are not met and no exceptional circumstances justify departure from policy.

4.2. The periodic reporting of delegated licensing decisions also supports good governance, accountability and effective use of Council resources. It enables Member oversight of licensing activity, provides assurance that decisions are being made consistently and lawfully, and demonstrates how operational delivery contributes to safer communities, customer-focused services and confidence in local regulation.

4.3. Officers use their delegated powers in a number of situations, including where:

a) A licence has been requested and there have been no objections raised by interested parties or Responsible Authorities.

b) The application has met the Council's policy criteria for accepting an application.

c) There are vehicle applications for new or renewal licences and refusal, suspension, and revocation of licences where the operating criteria as set by the Hackney Carriage and Private Hire Licensing Policy 2023 to 2027 is not met and the officer does not consider there to be any exceptional circumstances demonstrated by the applicant for an exception to be made.

d) There are driver's applications for new or renewal licences and refusal, suspension, or revocation of licences where the criteria as set by the Hackney Carriage and Private Hire Licensing Policy 2023 to 2027 is not met

and the officer does not consider there to be any exceptional circumstances demonstrated by the applicant for an exception to be made.

e) There are Private Hire Operator applications for new or renewal licences and refusal, suspension, and revocation of licences where the operating criteria as set by the Hackney Carriage and Private Hire Licensing Policy 2023 to 2027 is not met and the officer does not consider there to be any exceptional circumstances demonstrated by the applicant for an exception to be made.

4.4 The table in **Appendix A** shows the complete range of licences issued by the licensing team during the period of 1 February 2026 and the 31 August 2026. During this period the total number of licences processed was 2950.

4.5 The table in **Appendix B** shows that there were no Licensing and Safety Sub-Committee hearings held between the 1 February 2026 and the 31 August 2026.

4.6 The table at **Appendix C** shows that there were three Licensing Act Sub Committee hearings held between the 1 February 2026 and the 31 August 2026.

4.7 Following the decision at the Strategic Licensing Committee on 18 March 2015, vehicles and driver applications are now being considered by Officers using delegated powers. This includes refusal of new licence applications, refusal to renew existing licences and revocation and suspension of existing licences, in relation to any matter concerning a hackney carriage or a private hire driver's licence or a vehicle licence or any matter concerning a private hire operator's licence.

The number of licences and actions determined by this process is as follows: -

Driver	**Granted**	**Granted and/or Warning Letter, Suspension**	**Letter Council is 'Minded to refuse' or 'Revoke'**	**Refuse to Grant**	**Revoke**	**To refer to Committee**
New	10	1	1	6	0	0
Renew	9	2	1	0	0	0
Conduct	1	5	5	0	4	0
Vehicle	**Granted**	**Granted and/or Warning Letter**	**Letter Council is 'Minded to refuse' or 'Revoke'**	**Refuse to Grant**	**Revoke**	**To refer to Committee**
New	1	0	0	0	0	0
Renewal	1	0	0	0	0	0
Condition	1	0	0	0	0	0
Operator	**Granted**	**Granted and/or Warning Letter**	**Letter Council is 'Minded to refuse' or 'Revoke'**	**Refuse to Grant**	**Revoke**	**To refer to Committee**
New	0	0	0	0	0	0
Renewal	0	0	0	0	0	0

Conduct	0	0	0	0	0	0

5. Alternative Options

5.1. No alternative option is proposed because this is an information report. Not reporting the exercise of delegated powers would reduce transparency and Member oversight of licensing activity.

6. Key risks and Opportunities

6.1. No significant new risks arise from the recommendation to note this report. Delegated decision-making supports timely service delivery, consistent application of policy and effective use of officer and Member resources. Existing statutory, policy, managerial and escalation controls mitigate the risk of inappropriate decisions.

Risk / Opportunity	Mitigation	Link to Strategic Risk
Inconsistent or inappropriate use of delegated powers could lead to challenge, complaint, appeal, reputational damage or decisions that do not fully align with policy or statutory requirements.	Decisions are made in accordance with the Council's Constitution, relevant legislation, approved licensing policies and procedures. Complex, contested or exceptional cases are escalated to the appropriate sub-committee or senior officer as required.	Governance, legal compliance and reputation.
Failure to process applications within appropriate timescales could affect businesses, licence holders, applicants and service users, and may reduce confidence in the licensing service.	Delegated authority enables routine and uncontested applications to be determined efficiently. Workloads and application volumes are monitored, with escalation routes available where issues arise.	Service delivery, financial sustainability and reputation.
Public safety risk if unsuitable applicants, vehicles, premises or operators are licensed, or if concerns are not identified and acted upon.	Applications are assessed against statutory requirements, safeguarding duties, relevant policy criteria and consultation responses from responsible authorities. Refusal, suspension, revocation and committee referral processes are available where concerns arise.	Health, safety and wellbeing of communities.

Reduced transparency or Member oversight if delegated decisions are not reported periodically.	Regular reporting to the Strategic Licensing Committee provides oversight of delegated activity, trends, sub-committee decisions and the overall operation of the licensing framework.	Governance, accountability and public confidence.
Opportunity: efficient use of delegated powers supports timely decision-making, reduces unnecessary committee referrals and supports local businesses while maintaining safeguards.	Continue to use delegated powers for routine and uncontested matters, with clear escalation for objections, policy exceptions or higher-risk cases.	Effective use of resources, economic wellbeing and customer/service delivery.

7. Council Priorities

7.1 This report supports the Council's Corporate Plan priorities by contributing to a healthy economy, healthy people and communities, and a healthy organisation. A proportionate, transparent and efficient licensing service supports legitimate businesses and local economic activity, while ensuring that licence holders, premises, vehicles and operators meet the relevant statutory and policy requirements designed to protect residents, workers and visitors.

8. Financial Implications

8.1. This is an information report and does not seek approval for additional expenditure or savings. Licensing activity is undertaken using Licensing fees and charges.

9. Legal and HR implications

9.1. Delegated decisions are taken in accordance with the Council's Constitution, relevant legislation, adopted licensing policies and approved procedures. There are no direct workforce implications arising from the recommendation.

10. Electoral Division Implications

10.1. The report covers all electoral divisions in the administrative area of Shropshire Council and does not identify any division-specific implications.

11. Health, Social (including "Child Friendly Shropshire") and Economic Implications

11.1. Effective licensing arrangements support public safety, wellbeing and confidence in regulated services. Timely decisions also support legitimate businesses and the local economy. No specific adverse health, social, Child Friendly Shropshire or economic impacts have been identified.

12. Equality and Diversity Implications

12.1. No specific adverse equality or diversity impacts have been identified. Delegated decisions must continue to be made consistently, objectively and in accordance with equality and human rights duties, with reasonable adjustments made where required.

13. Climate Change, Biodiversity and Environmental Implications

13.1. No material climate change, biodiversity or environmental implications arise directly from the recommendation to note this report.

14. Background Papers

14.1 There are no background papers to be considered with this report.

15. Appendices

Appendix A - Licences processed between 1 February 2026 and the 31 August 2026.

Appendix B - Hearings held by the Licensing and Safety Sub-Committee between 1 February 2026 and the 31 August 2026.

Appendix C - Hearings held by the Licensing Act Sub-Committee between 1 February 2026 and the 31 August 2026.

APPENDIX A

Licences processed from the 1 February 2026 and the 31 August 2026.

General Licensing	Renewal Period	Total
Acupuncture Personal	For life	0
Acupuncture Premises	For life	0
Activities Involving Animals Licence	Up to 3 years	46
Caravan Sites	For life	8
Mobile Homes Fit and Proper Person Register	Up to 5 Years	0
Cosmetic Piercing Personal	For life	34
Cosmetic Piercing Premises	For life	25
House to House Collection	For the period applied for, no longer than 12 months	6
House to House Exemption Order	Exemption certificate is issued by the Home Office	11
Scrap Metal Site (new/renewal)	3 Years	1
Scrap Metal Collector (new/renewal)	3 Years	2
Sex Establishment Licence	1 Year	0
Sex Shop Licence	1 Year	0
Street Collection	Covers the dates applied for	46
Street Trading Licence (new/renewal)	1 Year (daily licence also available which covers maximum of 7 days in a 12-month period)	18
Tattooing Personal	For life	0
Tattooing Premises	For life	0
Electrolysis Personal	For life	0
Electrolysis Premises	For life	0
Hypnotism Consent	For the specific event applied for	0
Dangerous Wild Animals	2 Years	3
Zoo	New licences last 4 years, upon renewal they can be granted for 6 years	0
Distribution of Free Printed Matter	7 consecutive days, 28 consecutive days, 1 year – dependent on what is applied for	2
Storage of Explosives	1 Year	5
Year-round Fireworks Sales	1 Year	2
Pavement Licence	1 Year	26
Pavement Permit	1 Year	5
Total Applications General		**240**

Taxi Licensing		Renewal Period	Total
Hackney Carriage	N	1 Year	4
Hackney Carriage	R	1 Year	36
Joint HC/PH Driver	N	Up to 3 Years	70
Joint HC/PH Driver	R	Up to 3 Years	112
Private Hire Operator	N	Up to 5 Years	9
Private Hire Operator	R	Up to 5 Years	12
Private Hire Vehicle	N	1 Year	174
Private Hire Vehicle	R	1 Year	341
Hackney Vehicle Transfer		For period left on existing licence	2
Private Hire Vehicle Transfer		For period left on existing licence	10
Private Hire Licensee Transfer		For period left on existing licence	10
Total Taxi Applications			**780**

Taxi Licensing (Surrendered)	Total
Private Hire Vehicles	69
Hackney Carriages	3
Total Surrendered Vehicles	**72**

Licensing Act 2003	Renewal Period	Total
Club Premises Certificate	For Life	0
Personal Alcohol (variation/new)	For Life	99
Premises Licence	For Life	30
Temp Event Notice no Alcohol	For the dates applied for	0
Temp Event Notice with Alcohol	For the dates applied for	873
Minor Variation Application	For Life	16
Designated Premises Supervisor (DPS) Change/Variation	For Life	139
Disapply DPS	For Life	0
Premises Licence Transfer Application	For Life	70
Annual Fee	Due each year on anniversary	537

	of granting of original licence	
Notification of Interest	For Life	1
Premises Licence with Alcohol - Full Variation	For Life	8
Premises Licence without Alcohol - Full Variation	For Life	0
Total Licensing Act Applications		**1773**

Gambling Act 2005	**Renewal Period**	**Total**
Bingo Premise Licence	For Life	0
Betting Premise Licence (other than track)	For Life	0
Betting Premises Licence (track)	For Life	0
Licensed Premise Gaming Machine Permit	For Life	0
Notification of Intent to have gaming machines	For Life	16
Prize Gaming Permit	10 Years	0
Club Machine Permits	10 Years	1
Club Gaming Permit	10 Years	0
Occasional Use Notice	For the dates applied for	4
Temporary Use Notice	For the dates applied for	0
Adult Gaming Centre	For Life	0
Small Society Lotteries	For Life	19
Change of Promoter	As necessary	0
Annual Fee	Due each year on anniversary of granting of original licence	117
Family Entertainment gaming machine permit	10 Years	
Total Gambling Act 2005 Applications		**157**

Total Applications	**2950**

Total Surrendered Vehicles	**72**

APPENDIX B

Licensing and Safety Sub-Committee hearings held between 1 February 2026 and the 31 August 2026.

Date	Premises	Type of Application	Councillors	Decision
None				

Contact: Mandy Beever on 01743 251702

APPENDIX C

Licensing Act Sub-Committee hearings held between 1 February 2026 and the 31 August 2026.

Date	Premises	Type of Application	Councillors	Decision	Review Requested by
8 May 2026	n/a	Review of Personal Licence	Susan Eden Nigel Lumby Mark Owen	To suspend the personal licence for a period of three months	Dyfed Powys Police
11 May 2026	Bobby's, 21 25/ 26 The Parade, St Mary's Place, Shrewsbury, SY1 1DL	Full variation to a Premises Licence	Brian Evans Colin Taylor Jon Tandy	To allow the full variation to the premises licence with additional conditions for Bobby's 21, 25/26 The Parade, St Mary's Place, Shrewsbury, Shropshire, SY1 1DL	n/a
19 August 2026	The Greenhouse, 52 High Street, Bridgnorth, WV16 4DX	Application for a Temporary Event Notice	Jamie Daniels Chris Lemon Mark Owen	That a counter notice be issued	n/a