

| Statutory Standard | Hackney Carriage and Private Hire Licensing Policy 2019-2023 | Officers Response | Action |
|--------------------|---|---|---|
| 3.1 | This standard is satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023 (effective 1 st April 2019) | | |
| 3.2 | This standard is satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, specifically Part 1 - Introduction, paragraph 1.1 | | |
| 3.3 | Contents noted | | |
| 3.4 | Contents noted | | |
| 3.5 | This standard is satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, specifically Part 1 - Introduction, paragraph 1.7 which sets out that the Councils will commence a review of the Policy in 2022 with the aim of a revised policy being effective from 1 April 2023. However, it will be the subject of continuous evaluation and, if necessary, formally reviewed at any time. | | |
| 3.6 | This standard is satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, specifically Part 2 – Licensing Principles, Process and Delegation, paragraph 2.25 which sets out that the Council will work in partnership when dealing with hackney carriage and private hire licensing issues. Such partnerships to include, but are not restricted to, relevant hackney carriage and private hire trade associations, Telford & Wrekin Council, Wolverhampton City Council and other local authorities, West Mercia Police, 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. | Officers are keen to continue to foster relationship with local policing teams. However, it is recognised that the powers under Common Law Police Disclosure are interpreted differently by local police forces and licensing authorities | Full review of paragraph 2.25, engaging with the police forces and other relevant agencies, as part of the review of the Policy in 2022 |
| 3.7 | This standard is satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, specifically Part 3a – Hackney Carriage and Private Hire Drivers, paragraph 3a.22 and Part 3f – Private Hire Operators, specifically paragraph 3f.20 | | |

| | | | |
|------|---|---|---|
| 3.8 | Shropshire Council is committed to the highest possible standards of openness, honesty, integrity and accountability and provides a whistleblowing policy to ensure that staff are aware of how they can report concerns | Officers take every opportunity to remind all staff that Whistleblowing Policy applies to all procedures. Shropshire Councils Audit Team are responsible for the policy document and issuing a corporate reminder | |
| 3.9 | Contents noted | | |
| 3.10 | Shropshire Council is committed to the highest possible standards of openness, honesty, integrity and accountability and provides a whistleblowing policy to ensure that staff are aware of how they can report concerns | Officers take every opportunity to remind all staff that Whistleblowing Policy applies to all procedures. Shropshire Councils Audit Team are responsible for the policy document and issuing a corporate reminder | |
| 3.11 | Contents noted | | |
| 3.12 | This standard is partially satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, specifically Part 5 – Consultations, which sets out who was invited to put forward comments during the consultation period for the existing Policy | Officers are committed to identifying a wider range of consultees | The list of consultees will be expanded for future consultation to include the wider trade not associated with taxis/private hire and transport, included but not limited to Local Business Board, LEP, BID, Chamber of Commerce, Federation of Small Businesses, Campaign for Better Transport, Bus Companies, night-time economy groups etc |
| 3.13 | This standard is partially satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, specifically Part 5 – Consultations, which sets out that the Council invited comments from the Neighbourhood | | For future consultations consultees will be expanded to all |

| | | | |
|------|---|---|---|
| | Authority Working Group (which includes Telford & Wrekin Council and City of Wolverhampton Council) and the Regional Taxi Licensing Forum | | neighbouring authorities. Further scoping will be undertaken to identify the need for councillor liaison meetings prior to consulting on the revised policy. Use of technology will be considered to deliver consultation meetings due to geographical areas. |
| 3.14 | This standard is satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019 -2023. Transitional arrangements are included to allow time for the trade to make the necessary decisions to remain compliant with the Policy. For example, a two-year provision was included in the current Policy to allow hackney carriage proprietors licenced prior to 1 st April 2019 to make a business decision and change their vehicle to meet the requirements for all hackney carriage vehicles to be wheelchair accessible from 1 st April 2021, Part 3b – Hackney Carriages, paragraph 3.10 | Transitional arrangements are always considered when a change of policy is made and is widely consulted on with trade representatives Officers note that consideration needs to be given to the resources that are available, e.g. who makes the decision – panel/committee, officer time writing reports and completing application reviews | Further clarity will be provided in Appendix I as to how an amendment to Policy may affect an existing hackney carriage/private hire driver, vehicle proprietor or private hire operator |
| 3.15 | This standard is satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, specifically Part 2 – Licensing Principles, Process and Delegation, paragraph 2.7 and Appendix I, paragraph 1.7 | | Further clarity will be provided in Appendix I as to how an amendment to Policy may affect an existing hackney carriage/private hire driver, vehicle proprietor or private hire operator |
| 4.1 | This standard is satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, | | |

| | | | |
|------|--|---|--|
| | specifically Part 3a - Hackney Carriage and Private Hire Drivers, specifically paragraphs 3a.4 – 3a.10 | | |
| 4.2 | Comments noted | | |
| 4.3 | Comments noted | | |
| 4.4 | This standard is satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, specifically Part 3a - Hackney Carriage and Private Hire Drivers, paragraph 3a.11 which sets out that all hackney carriage and private hire vehicle drivers are required to undertake an enhanced criminal record disclosure (DBS check). This includes a barred lists check. | | |
| 4.5 | This standard is satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, specifically Part 3 – Licensable Activities, paragraphs 3.6-3.7. It is a requirement of the Policy that new and renewal applicants must subscribe to the DBS Update Service within 30 calendar days of the DBS being issued | Officers note that by 31 st March 2023 all licensed drivers will be subscribed to the DBS Update Service | |
| 4.6 | Comments noted | | |
| 4.7 | Not currently undertaken | Officers intend to include the requirement for this in the reviewed policy. | Scoping exercise is to be undertaken to understand the resource implications and what processes are required to enable this to be completed This will form part of the review of the Policy in 2022 |
| 4.8 | This standard is satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, specifically Part 3 – Licensable Activities, paragraph 3.8 | | |
| 4.9 | Comments noted | | |
| 4.10 | Comments noted | | |
| 4.11 | This standard is satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, | Officers are keen to continue to foster relationship with local | Full review of paragraph 2.25, engaging with the |

| | | | |
|------|--|---|---|
| | specifically Part 2 – Licensing Principles, Process and Delegation, paragraph 2.25 which sets out that the Council will work in partnership when dealing with hackney carriage and private hire licensing issues, ‘Such partnerships to include, but are not restricted to ...West Mercia Police...’. | policing teams. However, it is recognised that the powers under Common Law Police Disclosure are interpreted differently by local police forces and licensing authorities | police forces, as part of the review of the Policy in 2022 |
| 4.12 | The Hackney Carriage and Private Hire Licensing Policy 2019-2023, provides for all licence holders to notify the Licensing Team within 72 hours of all warnings, driving endorsements (driving convictions)/disqualification periods relating to traffic offences, fixed penalties, penalty charge notices, community resolutions and any other similar sanctions, together with any charges or arrests 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. 72 hours was deemed appropriate to allow for arrests etc over a weekend/Bank Holiday | | To be made to Policy for Appendix I, para 1.24 and conditions of licence |
| 4.13 | This standard is partially satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, specifically Part 3 – Licensable Activities, paragraph 3.1 which sets out that 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. | Details are included in the decision letters and also within the witness statements compiled during or an appeal process | Review of the Policy in 2022 to include amendments to Appendix I to include additional wording under 1.14 and amendment Part 3.1 to include within the life of the licence. |
| 4.14 | Where it is considered appropriate, the Council ensures that a referral is made to the DBS. Referrals of this nature are currently undertaken, however, this is not captured in the Policy. | | Amendment to be made to Policy as part of the review in 2022, to |

| | | | |
|------|--|--|---|
| | | | include referrals to the DBS |
| 4.15 | Where it is considered appropriate, the Council ensures that a referral is made to the DBS. Referrals of this nature are currently undertake, however, this is not captured in the Policy. | | Amendment to be made to Policy as part of the review in 2022, to include referrals to the DBS |
| 4.16 | Comments noted | | |
| | | Officers are keen to continue to foster relationship with local policing teams and improve communication | Full review of paragraph 2.25, engaging with the police forces, as part of the review of the Policy in 2022 |
| 4.17 | This is not captured in the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023 | Officers are keen to continue to foster relationship with local policing teams and improve communication | Further liaison with the Policing authorities to improve the flow of information, taking into consideration the different police forces that border the administrative area of Shropshire Council Outcome to be considered as part of the review of the Policy in 2022 |
| 4.18 | Comments noted | | |
| 4.19 | This is partially satisfied through the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, specifically Appendix A, paragraph 1.3 which provides that information can be shared with the police in order to protect children, young people and adults with care and support needs from harm. | Officers are keen to continue to foster relationship with local policing teams and improve communication | Further liaison with the Policing authorities to improve the flow of information, taking into consideration the different police forces that border the |

| | | | |
|------|--|---|--|
| | | | administrative area of Shropshire Council Outcome to be considered as part of the review of the Policy in 2022 |
| 4.20 | This standard is satisfied though the application forms that new and renewal applicants must complete to apply for a licence | | |
| 4.21 | This standard is satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, specifically Part 2 – Licensing Principles, Process and Delegation, paragraphs 2.17- 2.22 | Officers note that the national register for hackney carriage and private hire licence revocations and refusals (NR3) is currently in partial use by the Council, for searching purposes only and information is not yet being recorded on the register | Officers to undertake necessary action to allow the details of revocations and refusals to be added to NR3 |
| 4.22 | The reasons behind a licence being refused or revoked is captured in the computer system used to administer the licensing function, with a copy of the decision letters being attached to an individual's licence record | | |
| 4.23 | Comments noted The information provided in this standard is acknowledged in the Hackney Carriage and Private Hire Licensing Policy 2019-2023, specifically Part 1 - Introduction, paragraph 1.10 | | |
| 4.24 | This standard is satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, specifically Part 2 – Licensing Principles, Process and Delegation, paragraph 2.7 and Appendix I, paragraph 1.7 | | |
| 4.25 | This standard is satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, specifically Part 3 – Licensable Activities, paragraph 3.1. In addition, reference to this is made within decision letters and witness statements | Officers note that Part 3 – Licensable Activities, paragraph 3.1 could be further improved to made reference to during the life of the licence | Paragraph 3.1 to be expanded as part of the review of the Policy in 2022 to include within the life of the licence |
| 4.26 | Comments noted | | |
| 4.27 | Comments noted | | |

| | | | |
|------|---|---|---|
| 4.28 | This standard is partially satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, specifically Part 2 – Licensing Principles, Process and Delegation, paragraphs 2.10 and 2.14 | The principles of a MASH are definitely supported in the Panel process as engagement occurs with Adult Safeguarding, Childrens Safeguarding and Passenger Transport Teams. The Licensing Safeguarding officer attends a monthly Child Exploitation Panel which includes representatives from childrens safeguarding, the police, schools and colleges safeguarding officers and other relevant professional bodies | Further liaison with the Policing authorities to improve the flow of information, taking into consideration the different police forces that border the administrative area of Shropshire Council Outcome to be considered as part of the review of the Policy in 2022 |
| 4.29 | The Licensing System provides a robust system for recording complaints | Officers note that the Licensing Team are transitioning to a new systems provider and will be particularly concerned to ensure that a robust system for recording complaints is included | Providing a robust system for recording complaints forms part of the requirements for the new system and will include the ability to extracting data to provide data analysis and trends |
| 4.30 | This standard is satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, specifically Appendix I which sets out that where concerns are raised a licence will be reviewed | Officers note that the Licensing Team are transitioning to a new systems provider and are particularly concerned to ensure that the new system can extracting data to provide data analysis and trends which shows licensees with a high number of complaints recorded against them | Providing a robust system for recording complaints forms part of the requirements for the new system and will include the ability to extracting data to provide data analysis and trends |
| 4.31 | This standard is satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, specifically Part 4. | Officers have identified that further improvements can be made by the development of a webpage which provides information on how to | Webpage to be created for customers to know how to report |

| | | | |
|------|---|---|---|
| | <p>This standard is further satisfied though the conditions attached to hackney carriage and private hire vehicles which state that vehicle proprietors must display the Council issued sign which provides contact details for reporting complaints/compliments to the Council.</p> <p>This standard is further satisfied through the conditions attached to a private hire operators licence which requires operators to provide the outcome of the complaint to the Council.</p> | report compliments, comments or complaints | compliments, comments or complaints. Part 4 of the Policy to be amended as part of the review of the Policy in 2022 to reference how to report compliments, comments or complaints |
| 4.32 | <p>This standard is satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, specifically Part 4.</p> <p>This standard is satisfied though the conditions attached to hackney carriage and private hire vehicles which state that vehicle proprietors must display the Council issued sign which provides contact details for reporting complaints/compliments to the Council. Vehicles are inspected for compliance at regular intervals</p> | Officers have identified that further improvements can be made by the development of a webpage which provides information on how to report compliments, comments or complaints | Webpage to be created for customers to know how to report compliments, comments or complaints. Part 4 of the Policy to be amended as part of the review of the Policy in 2022 to reference how to report compliments, comments or complaints |
| 4.33 | Comments noted | | |
| 4.34 | This standard is partially satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, specifically Part 3a - Hackney Carriage and Private Hire Drivers, paragraph 3a.16 and the conditions attached to a hackney carriage/private hire drivers licence, condition 1.10 | It is noted that when aligning the Policy to the Statutory Guidance paragraphs must reference that some countries will not provide a Certificate of Good Character unless the individual has been resident for six months or more | To align the Policy requirements to the Statutory Guidance as part of the review of the Policy in 2022 |
| 4.35 | This standard is satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, specifically Part 3a - Hackney Carriage and Private Hire Drivers, paragraph 3a.15 – 3a.16 and the conditions attached to a hackney carriage/private hire drivers licence, condition 1.10 | | |
| 4.36 | This standard is satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, | | |

| | | | |
|-----|---|--|--|
| | specifically Part 3a - Hackney Carriage and Private Hire Drivers, paragraph 3a.15. In addition, where an applicant is to be referred to the Councils Licensing Panel they are encouraged to seek their own legal advice. | | |
| 5.1 | Comments noted | | |
| 5.2 | Comments noted | The Licensing Team are in the process of digital transformation designed to channel shift the customers from a largely paper and email based system to self-service, which it is anticipated will release staff allowing for them to discharge the function effectively and correctly. | Review the resources to ensure there is adequate provision |
| 5.3 | Committee Services maintains a list of Members who have been trained | Officers will ensure that the recommendations listed in Statutory Standards are incorporated in the training package | Revision of the training package to be delivered to members, based on recommendations in statutory standards Consideration to be given to providing refresher training immediately before a committee meeting |
| 5.4 | This standard is satisfied through the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023 specifically Part 1 – Introduction, paragraph 1.10 and Part 2, Licensing Principles, Process and Delegation, paragraph 2013 and through the Councils Constitution, specifically Part 4 Council Procedure Rules and Part 8 – Delegation to Officers | Officers have identified that further clarity could be provided by direct reference to the Councils Constitution within the Policy document | Further clarification, to include direct links to the relevant sections of the Councils Constitution, will be included as part of the review of the Policy in 2022 |
| 5.5 | This standard is satisfied through the Members Code of Conduct and the Councils Employees Code of Conduct | | |
| 5.6 | This standard is satisfied through Councils Constitution, specifically Part 4 Council Procedure Rules and Part 8 – | Officers have identified that further clarity could be provided by direct | Further extend Part 2 of Policy to include direct |

| | | | |
|------|--|---|---|
| | Delegation to Officers, which provides for cases to be referred to Licensing Panel, Delegated Officer or to Licensing & Safety Sub-committee | reference to the Councils Constitution within the Policy document | links to the relevant sections of the Councils Constitution as part of the review of the Policy in 2022 |
| 5.7 | Comments noted | | |
| 5.8 | Comments noted | | |
| 5.9 | Comments noted | | |
| 5.10 | This standard is satisfied though Councils Constitution, specifically Part 4 Council Procedure Rules and Part 8 – Delegation to Officers, which provides for cases to be referred to Licensing Panel, Delegated Officer or to Licensing & Safety Sub-committee | Officers have identified that further clarity could be provided by direct reference to the Councils Constitution within the Policy document | Further extend Part 2 of Policy to include direct links to the relevant sections of the Councils Constitution as part of the review of the Policy in 2022 |
| 5.11 | This standard is satisfied though Councils Constitution, specifically Part 8 – Delegations to Officers which provides that immediate revocations are delegated to Operations Manager with responsibility for the Licensing Function | | |
| 5.12 | This standard is satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, specifically Appendix I, paragraph 1.27 | | |
| 5.13 | This standard is satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, specifically Appendix I, paragraph 1.30 | | |
| 5.14 | This standard is satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, specifically Part 2 – Licensing Principles, Process and Delegation, paragraph 2.13 | | |
| 5.15 | This standard is satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, specifically Appendix I, paragraph 1.38 | | |
| 5.16 | This standard is partially satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, specifically Appendix I - Guidance to Determining the | Officers have compared the information contained within this Annex against the requirements of Appendix I of the Hackney | |

| | | | |
|--|---|---|--|
| | <p>Suitability of Applicants including the Relevance of Criminal Convictions and Cautions</p> | <p>Carriage and Private Hire Licensing Policy 2019-2023. The results of the comparison can be seen at Table 1 below</p> <p>Officers consider that statutory guidance that focuses solely on the assessment of previous convictions in the manner currently set out in the Statutory Standards is not necessarily sufficient for the reasons set out below.</p> <p>Experience has shown that including lists of offences, even where it is stated that they are non-exhaustive, leads to additional work to justify any decision made when it relates to an offence which is not on the list. There will always be a risk that an offence is relevant but is not on the list.</p> <p>Further, the nature of the risk is such that any guidance must ensure the assessment is not only about considering convictions. Whilst clearly convictions are important, experience has demonstrated that non-conviction information is very often more relevant, particularly when trying to deal with safeguarding concerns.</p> <p>There is a serious risk that the current approach in the Statutory</p> | |
|--|---|---|--|

| | | | |
|------|---|--|---|
| | | Standards will assist drivers (and those who defend them) to gain and retain licences when they have exhibited totally unacceptable behaviours, which will undermine the high level of safeguarding steps that are currently already being undertaken by some local authorities. | |
| 5.17 | This standard is satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, specifically Appendix I, paragraphs 1.34 -1.40 | | |
| 6.1 | Comments noted | | |
| 6.2 | This standard is satisfied when completing a DBS application. In addition, this standard is partially satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, specifically Part 3 – Licensable Activities, paragraph 3.9. It is a requirement of the Policy that all drivers will be subscribed to the Update Service by 31 st March 2022 by which point all drivers will be under the conditions as stated in the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023 | Officers note that the recommendation is for routine checks every six months and will include the requirement in the Policy work going forward. | Scoping exercise is to be undertaken to understand the resource implications around the Update Service and checking for new information every six months and what processes are required to enable this to be completed. This will form part of the review of the Policy in 2022 |
| 6.3 | This standard is satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, specifically Appendix I, paragraphs 1.38-1.39 | | |
| 6.4 | This standard is partially satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, specifically Part 3 – Licensable Activities, paragraphs 3.10 | Officers note the further clarity is required in the policy for private hire operators | Reference to the requirements of 6.4 of the statutory standards to be added to the private hire operators |

| | | | |
|------|--|--|--|
| | | | section as part of the review of the Policy in 2022 |
| 6.5 | Comments noted This standard is satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, specifically Appendix A - Safeguarding of children, young people and adults with care and support needs | | |
| 6.6 | This standard is satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, specifically Appendix A - Safeguarding of children, young people and adults with care and support needs which provides general advice and information. However, this standard is further satisfied in the Policy, part 3a - Hackney Carriage and Private Hire Drivers, paragraph 3a.40, which provides that applicants must complete the Council's hackney carriage and private hire drivers and operators safeguarding awareness course on Raising Awareness of Safeguarding Children and Adults with Care and Support Needs | | |
| 6.7 | Comments noted | | |
| 6.8 | Comments noted | | |
| 6.9 | Comments noted | | |
| 6.10 | Comments noted | | |
| 6.11 | This standard is satisfied though the Councils safeguarding awareness course on Raising Awareness of Safeguarding Children and Adults with Care and Support Needs | | |
| 6.12 | Comments noted | | |
| 6.13 | This standard is satisfied though the Councils safeguarding awareness course on Raising Awareness of Safeguarding Children and Adults with Care and Support Needs and in the handouts that accompany the course | | |
| 6.14 | Comments noted | | |
| 6.15 | This standard is satisfied by way of appointments to complete a DBS and the requirement for applicants to complete a knowledge test | Officers note that the provision for completing a DBS application and completing a knowledge test is | Provision will be included within the digital transformation project to cover both |

| | | | |
|-----|---|---|--|
| | | currently being digitally transformed | oral and written English skills |
| 7.1 | Comments noted | | |
| 7.2 | This standard is satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, specifically Part 3, paragraphs 3b.15, 3c.8, 3d.11 and 3e.8 and in Appendix I - Guidance to Determining the Suitability of Applicants including the Relevance of Criminal Convictions and Cautions, paragraph 1.28 | | |
| 7.3 | This standard is satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, specifically Part 3, paragraphs 3b.14, 3c.7, 3d.10 and 3e.7, which provides for existing drivers who are also proprietors | | |
| 7.4 | This is not included within the current Policy | Officers note that only convictions that would be revealed on a basic disclosure can be taken into consideration in relation to a proprietors application | Clarity to be provided between those convictions provided in an Enhanced DBS and those revealed in Basic Disclosure and which can be taken into consideration in relation to a vehicle proprietors licence as part of the review of the Policy in 2022 |
| 7.5 | This standard is partially satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, specifically Part 3, paragraphs 3b.48, 3b.67, 3c.42, 3c.61, 3d.50, 3d.68, 3e.47 and 3e.66 | Officers note that the current Policy does not provide for notification of any change of directors or partners | Amendment to vehicle proprietors conditions of licence as part of the review of the Policy in 2022 to include a condition across all vehicle licences to include a requirement to notify the Licensing Team of any change of |

| | | | |
|------|--|---|---|
| | | | directors, company secretary or partners |
| 7.6 | Comments noted | | |
| 7.7 | Comments noted | | |
| 7.8 | Comments noted | | |
| 7.9 | Shropshire Council consulted on the use of CCTV in licensed vehicles as part of the Hackney Carriage and Private hire Licensing Policy review in 2018/2019. Information received from West Mercia Police did not indicate a positive or negative effect on the safety of taxi and private hire users. As a result, the Hackney Carriage and Private Hire Licensing Policy 2019-2023 encourages proprietors of licensed vehicles to install CCTV 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 | | As part of the review of the Policy in 2022 further consideration will be given to the requirement to install CCTV into a licensed vehicle |
| 7.10 | Comments noted | | |
| 7.11 | Comments noted | | |
| 7.12 | Comments noted | | |
| 7.13 | Comments noted | | |
| 7.14 | This standard is satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, specifically Part 3e – Novelty Private Hire Vehicles including Limousines and Vintage Vehicles | | |
| 7.15 | This standard is satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, specifically Part 3e – Novelty Private Hire Vehicles including Limousines and Vintage Vehicles | | |
| 8.1 | Comment noted | | |
| 8.2 | This standard is partially satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, specifically Part 3f, paragraph 3f.5, which provides for a basic disclosure to be provided for new applicants or as part of the renewal process and in Appendix I - Guidance to Determining the Suitability of Applicants including the Relevance of Criminal Convictions and Cautions, paragraph 1.29 | Officers note that the current Policy does not provide for a check to be undertaken annually on a basic disclosure from a private hire operator | Amendment to private hire operators conditions of licence as part of the review of the Policy in 2022 to include a requirement to provide basic disclosure annually |

| | | | |
|-----|---|--|---|
| 8.3 | This standard is partially satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, specifically Part 3f, paragraph 3f.4, which provides for existing drivers who are also private hire operators | Officers note that further clarity is required in the Policy for when a driver ceases to hold a hackney carriage/private hire drivers licence | Amendment to private hire operators conditions of licence as part of the review of the Policy in 2022, to include a requirement to provide a basic certificate should an individual cease to hold a hackney carriage/private hire drivers licence |
| 8.4 | This is not included within the current Policy | Officers note that only convictions that would be revealed on a basic disclosure can be taken into consideration in relation to a private hire operators application | Clarity to be provided between those convictions provided in an Enhanced DBS and those revealed in Basic Disclosure and which can be taken into consideration in relation to a private hire operators licence as part of the review of the Policy in 2022 |
| 8.5 | This standard is partially satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, specifically Part 3f, paragraph 3f.2 and 3f.3, which provides all applicants to demonstrate that they are a fit and proper person to hold a private hire operators licence in Appendix I - Guidance to Determining the Suitability of Applicants including the Relevance of Criminal Convictions and Cautions, which sets out the Councils definition of a fit and proper person, paragraphs 1.13 and 1.14 | Officers note that the current Policy does not provide for notification of any change of directors or partners | Amendment to private hire operators conditions of licence as part of the review of the Policy in 2022 to include a requirement to notify the Licensing Team of any change of directors, company secretary or partners |
| 8.6 | Comments noted | | |
| 8.7 | Comments noted | | |

| | | | |
|------|--|---|---|
| 8.8 | This standard is partially satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, specifically Appendix G – Private Hire Operators Conditions of Licence, conditions 1.7 – 1.16 | Officers note that the Policy does not refer to a register of all staff as per the requirements of 8.8 of the Statutory Standards | Amendment to private hire operators conditions of licence as part of the review of the Policy in 2022 to include a requirement to maintain a register of all staff that will take bookings or dispatch vehicles |
| 8.9 | This standard is partially satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, specifically Appendix G – Private Hire Operators Conditions of Licence, conditions 1.7 – 1.16 | Officers note that the current policy does not require private hire operators to have a policy on employing ex-offenders | Amendment to private hire operators conditions of licence as part of the review of the Policy in 2022 to include a requirement for private hire operators to have a policy for employing ex-offenders |
| 8.10 | This standard is satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, specifically Appendix G – Private Hire Operators Conditions of Licence, condition 1.10 | | |
| 8.11 | This is not included within the current Policy | It is assumed that this standard relates to sub-contracting of booking | Amendment to private hire operators conditions of licence as part of the review of the Policy in 2022 to include the wording from the statutory standards |
| 8.12 | This standard is partially satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, specifically Appendix G – Private Hire Operators Conditions of Licence, condition 1.8 | Officers note that the current policy does not require private hire operators to have a policy on employing ex-offenders | Amendment to private hire operators conditions of licence as part of the review of the Policy in 2022 to include a requirement for private |

| | | | |
|------|---|---|---|
| | | | hire operators to have a policy for employing ex-offenders and how this policy is applied to persons on the register of all staff that will take bookings or dispatch vehicles |
| 8.13 | This standard is partially satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, specifically Appendix G – Private Hire Operators Conditions of Licence, conditions 1.35 – 1.37 | Officers note that the current policy does not require a record to be retained of the individual that responded to the booking request or the name of the individual that dispatched the vehicle. However, it is noted that the vehicle may not be dispatched by individual and may be automated through website/app. | Amendment to private hire operators conditions of licence as part of the review of the Policy in 2022 to include name of person responding to booking request and name of individual that dispatched the vehicle. |
| 8.14 | This standard is satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, specifically Appendix G – Private Hire Operators Conditions of Licence, conditions 1.44 | | |
| 8.15 | Comments noted | | |
| 8.16 | This standard is not reflected in current Policy | Officers have identified recent cases where PSV vehicles have been used to fulfil private hire bookings and have worked with the DVSA to resolved Licensing concerns. Therefore, officers are fully in support of the inclusion of proposed condition in the Policy. | Operators section to be amended as part of the review of the Policy in 2022 to include a condition stating not permitted to use a PCV driver or a PSV vehicle as per the requirements in the Statutory Standards |
| 8.17 | This standard is not reflected in current Policy | Officers have identified recent cases where PSV vehicles have been used to fulfil private hire | Operators section to be amended as part of the review of the Policy in |

| | | | |
|-----|--|---|--|
| | | bookings and have worked with the DVSA to resolved Licensing concerns. Therefore, officers are fully in support of the inclusion of proposed condition in the Policy. | 2022 to include a condition stating not permitted to use a PCV driver or a PSV vehicle as per the requirements in the Statutory Standards In addition, information to be included on the Councils website about the PSV licensing regime. |
| 9.1 | Comment noted | | |
| 9.2 | | Practical process of joint authorisations – different conditions/standards | Further scoping for the desire for joint authorisations with neighbouring authorities to be undertaken as part of the Policy review in 2022 |
| 9.3 | This standard is partially satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023 | Officers note that a points-based system is not currently in force, however, breaches are dealt with by the Licensing Panel process and, therefore, does not increased the burden on Committees | |
| 9.4 | This standard is partially satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, specifically Appendix C, condition 1.16, Appendix D, condition 1.19, Appendix E, condition 1.16 and Appendix F, condition 1.16 which provides that licensed vehicles will clearly display and maintain inside the vehicle, in such a position as to be clearly visible to passengers inside the vehicle at all times, contact details for reporting complaints/compliments to the Council | Officers have identified that further improvements can be made by the development of a webpage which provides information on how to report compliments, comments or complaints | Webpage to be created for customers to know how to report compliments, comments or complaints. Part 4 of the Policy to be amended as part of the review of the Policy in 2022 to reference how |

| | | | |
|--|--|---|--|
| | | | to report compliments, comments or complaints |
| 9.5 | Comments noted | | |
| 9.6 | This standard is partially satisfied though the Councils Hackney Carriage and Private Hire Licensing Policy 2019-2023, specifically Part 3a, paragraph 3a.17 | Officers note that the current Policy does not provide for licence holders who have been served an immigration penalty during the life of their licence | Amendment to be made to Appendix I as part of the review of the Policy in 2022 to include the information contained within Statutory Standard |
| 9.7 | Comments noted | | |
| 9.8 | Comments noted | | |
| 9.9 | Comments noted | | |
| 9.10 | Comments noted | | |
| Annex – Assessment of Previous Convictions | This Annex is partially satisfied as the Policy provides guidance at Appendix I - Guidance to Determining the Suitability of Applicants including the Relevance of Criminal Convictions and Cautions, which sets out the Councils position when considering convictions and cautions | Officers have compared the information contained within this Annex against the requirements of Appendix I of the Hackney Carriage and Private Hire Licensing Policy 2019-2023. The results of the comparison can be seen at Table 1 below | |
| Annex – Disclosure and Barring Service Information | This Annex is satisfied as the Policy provides that applicants for a hackney carriage/private hire drivers licence are subject to an enhanced DBS (including barred list check) and applicants for a vehicle proprietors licence or a private hire operators licence, where they are not an existing hackney carriage/private hire driver, are subject to a basic disclosure | Officers have identified that further improvements can be made by including reference to the chart within the Policy document | Amendment to be made as part of the review of the Policy in 2022 to reference the chart and provide more clarity on what information is included within a DBS check within the Policy document |
| Annex – CCTV Guidance | This Annex is partially satisfied as the Policy provides that any CCTV installed within a licensed vehicle or within a private hire operators premises must be installed in accordance with the appropriate legal framework | Officers have identified that further improvements can be made by including guidance within the Policy document | As part of the review of the Policy in 2022 further consideration will be given to the requirement to install |

| | | | |
|---|---|---|--|
| | | | CCTV into a licensed vehicle and to provide further guidance within the Policy as per the guidance provided in this Annex |
| Annex – Staying Safe: Guidance for Passengers | This Annex is partially satisfied by the information provided on the Councils website | Officers have identified that further improvements can be made on the Councils website to provide guidance for passengers on staying safe | Webpage to be updated to provide guidance for members of the public on how to stay safe when travelling in licensed vehicles |

Table 1:

| Conviction | Statutory Standard | Shropshire Council Policy |
|---------------------------|--|--|
| Crimes resulting in death | Where an applicant or licensee has been convicted of a crime which resulted in the death of another person or was intended to cause the death or serious injury of another person they will not be licensed. | Unless significant and exceptional circumstances apply, the Council will not grant a licence to an applicant who has been convicted of or connected with an offence resulting in death of another person |
| Exploitation | Where an applicant or licensee has been convicted of a crime involving, related to, or has any connection with abuse, exploitation, use or treatment of another individual irrespective of whether the victim or victims were adults or children, they will not be licensed. This includes slavery, child sexual abuse, exploitation, grooming, psychological, emotional or financial abuse, but this is not an exhaustive list. | Unless significant and exceptional circumstances apply, the Council will not grant a licence to an applicant who has been convicted of or connected with any crime involving or related to or has any connection with abuse, exploitation, use or treatment of another individual irrespective of whether the victim or victims were adults or children, this includes but is not restricted to slavery, child sexual exploitation, grooming, psychological, emotional or financial abuse. |

| | | |
|--|--|--|
| Offences including violence against the person | Where an applicant has a conviction for an offence of violence against the person, or connected with any offence of violence, a licence will not be granted until at least 10 years have elapsed since the completion of any sentence imposed. | Unless significant and exceptional circumstances apply, the Council will not grant a licence to an applicant who has been convicted of or connected with violent offences |
| Possession of a weapon | Where an applicant has a conviction for possession of a weapon or any other weapon related offence, a licence will not be granted until at least seven years have elapsed since the completion of any sentence imposed. | 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 Appendix I, Tables A and B of the Hackney Carriage and Private Hire Licensing Policy 2019-2023, and demonstrate adequate evidence that they are a fit and proper person to hold a licence. |
| Sexual offences | Where an applicant has a conviction for any offence involving or connected with illegal sexual activity, a licence will not be granted. In addition to the above, the licensing authority will not grant a licence to any applicant who is currently on the Sex Offenders Register or on any barred list. | 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 or any form of indecency In addition to the above, the licensing authority will not grant a licence to any applicant who is currently on the Sex Offenders Register or on any 'barred' list |
| Dishonesty | Where an applicant has a conviction for any offence where dishonesty is an element of the offence, a licence will not be granted until at least seven years have elapsed since the completion of any sentence imposed. | 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 Appendix I, Tables A and B of the Hackney Carriage and Private Hire Licensing Policy 2019-2023, and demonstrate adequate evidence that they are a fit and proper person to hold a licence. |
| Drugs | Where an applicant has any conviction for, or related to, the supply of drugs, or possession with intent to supply or connected with possession with | A person with a conviction for an offence need not be automatically barred from obtaining a licence. However, they would be expected to |

| | | |
|----------------------|--|---|
| | <p>intent to supply, a licence will not be granted until at least 10 years have elapsed since the completion of any sentence imposed.</p> <p>Where an applicant has a conviction for possession of drugs, or related to the possession of drugs, a licence will not be granted until at least five years have elapsed since the completion of any sentence imposed. In these circumstances, any applicant may also have to undergo drugs testing for a period at their own expense to demonstrate that they are not using controlled drugs.</p> | <p>remain free of conviction for an appropriate period of time as set out in Appendix I, Tables A and B of the Hackney Carriage and Private Hire Licensing Policy 2019-2023, and demonstrate adequate evidence that they are a fit and proper person to hold a licence.</p> |
| Discrimination | <p>Where an applicant has a conviction involving or connected with discrimination in any form, a licence will not be granted until at least seven years have elapsed since the completion of any sentence imposed.</p> | <p>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 Appendix I, Tables A and B of the Hackney Carriage and Private Hire Licensing Policy 2019-2023, and demonstrate adequate evidence that they are a fit and proper person to hold a licence.</p> |
| Motoring convictions | <p>Hackney carriage and private hire drivers are professional drivers charged with the responsibility of carrying the public. It is accepted that offences can be committed unintentionally, and a single occurrence of a minor traffic offence would not prohibit the granting of a licence. However, applicants with multiple motoring convictions may indicate that an applicant does not exhibit the behaviours of a safe road user and one that is suitable to drive professionally.</p> <p>Any motoring conviction while a licensed driver demonstrates that the licensee may not take their professional responsibilities seriously. However, it is accepted that offences can be committed</p> | <p>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 Appendix I, Tables A and B of the Hackney Carriage and Private Hire Licensing Policy 2019-2023, and demonstrate adequate evidence that they are a fit and proper person to hold a licence.</p> |

| | | |
|--|---|--|
| | unintentionally, and a single occurrence of a minor traffic offence may not necessitate the revocation of a taxi or private hire vehicle driver licence providing the authority considers that the licensee remains a fit and proper person to retain a licence. | |
| Drink driving/driving under the influence of drugs | Where an applicant has a conviction for drink driving or driving under the influence of drugs, a licence will not be granted until at least seven years have elapsed since the completion of any sentence or driving ban imposed. In the case of driving under the influence of drugs, any applicant may also have to undergo drugs testing at their own expense to demonstrate that they are not using controlled drugs. | 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 Appendix I, Tables A and B of the Hackney Carriage and Private Hire Licensing Policy 2019-2023, and demonstrate adequate evidence that they are a fit and proper person to hold a licence. |
| Using a hand-held device whilst driving | Where an applicant has a conviction for using a held-hand mobile telephone or a hand-held device whilst driving, a licence will not be granted until at least five years have elapsed since the conviction or completion of any sentence or driving ban imposed, whichever is the later. | 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 Appendix I, Tables A and B of the Hackney Carriage and Private Hire Licensing Policy 2019-2023, and demonstrate adequate evidence that they are a fit and proper person to hold a licence. |