|  |  |  |
| --- | --- | --- |
| Page number | Current wording | Amended wording |
| 1 |  | Insert:-Statutory Taxi & Private Hire Vehicle Standards – July 2020 |
| 8 | Licences will be issued for 3 years. The Council may in exceptional circumstances grant a licence for a lesser period | Licenses will be issued at a standard length of 3 years. Any shorter duration licence will only be issued when we think it is appropriate in the specific circumstance of the case, if a licensee has requested one or where required (e.g when the licence holders leave to remain in the UK is time-limited) or when the licence is only required to meet a short term demand. Licenses will not be issued on a probationary basis.  |
| 8 | The Council may directly access the DVLA records of applicants (via a completed DVLA mandate), or alternatively will employ the services of a third party to do this. | The Council may at any time request a DVLA check code from an applicant or licensed driver, in order to access DVLA records. |
| 8 | The provision of 2 recent colour passport standard photographs that are of a good likeness of the applicant. | A recent passport standard photograph that is a good likeness of the applicant. |
| 8 | A completed DVLA mandate | A DVLA Check Code |
| 11 | The Licensing authority requires all drivers to fund, obtain and produce an enhanced DBS check at least every three years. Licence holders will be required to subscribe to the Disclosure and Barring Service Online Update Service. The update service can be used if an application is made for a renewal and there has been no changes. If no changes are recorded on the DBS update service check then a full DBS check will not be required. In all other cases a full Enhanced DBS check will be required before a licence will be renewed/issued.The applicant/licence holder must provide consent for the Licensing Authority to undertake checks of their DBS status. DBS checks will be carried out at a minimum of every six months or as and when it is deemed appropriate to do so. Failure to give consent may result in an application being refused. | All licensed drivers should be able to evidence continuous registration with the DBS update service. The Licensing Authority will routinely check for new information every 6 months. Drivers that do not subscribe to the update service will still be subject to a check every 6 months.  |
| 11 |  | Insert:-In the interests of public safety the licensing authority will not issue a licence to any individual that appears on the children and adult barred lists. There may be exceptional circumstances in which based on the balance of probabilities an individual named on a barred list is fit and proper. Reasons for reaching this decision will be recorded. |
| 11 | Certificate of Good Conduct | Certificate of Good Character |
| 12 | A signed mandate will be required as part of the application process | A valid DVLA check code will be required as part of the application process |
| 12 | As part of this process, applicants will be required to demonstrate that they are able to communicate in English orally and in writing to a standard that is required to fulfil their duties, including in emergency and other challenging situations. | As part of this process, applicants will be required to demonstrate that they are able to communicate in English orally and in writing to a standard that will enable the driver to understand written documents such as policies and guidance relating to the protection of children and vulnerable adults and applying this to identify and act on signs of exploitation. Oral proficiency will be of relevance in the identification of potential exploitation through communicating with passengers and their interaction with others. |
| 14 | Licences will be issued for 3 years. The Council may in exceptional circumstances grant a licence for a lesser period | Licenses will be issued at a standard length of 3 years. Any shorter duration licence will only be issued when we think it is appropriate in the specific circumstance of the case, if a licensee has requested one or where required (e.g when the licence holders leave to remain in the UK is time-limited) or when the licence is only required to meet a short term demand. Licenses will not be issued on a probationary basis. |
| 14 | All drivers are required to complete Child Sexual Exploitation training and existing drivers are required to complete refresher training every 3 years. | All drivers are required to complete Child Sexual Exploitation and County Lines training and existing drivers are required to complete refresher training every 3 years.  |
| 18 |  | Insert:-An application submitted from an individual who is not a licensed driver with Lichfield District Council will need to include as part of their application a basic disclosure from the Disclosure and Barring Service.If an individual has spent an extended period (three or more continuous months) outside the UK, or has not resided in the UK for less than 5 years a certificate of good character will also be required. |
| 21 | Licence applications for vehicles in “exceptional condition” which are outside of the council’s policy, for example by age and type of vehicle, will be subject to additional checks relevant to the type of vehicle. Applicants must provide an independent automobile engineers report for vehicles outside the Council’s age restrictions to indicate that the vehicle is in immaculate condition. This report is in addition to the Council’s mechanical inspection. An additional fee will be charged for vehicles outside of the Council’s policies to cover additional administration. (see Schedule of Fees)  | Licence applications for vehicles in “exceptional condition” which are outside of the council’s policy, for example by age and type of vehicle, will be subject to additional checks relevant to the type of vehicle. Applicants must request the vehicle be seen by the Licensing Team in order to assess if it meets the required standard. This check must be completed in good time before the licence plate expires. The Compliance test must show no advisory’s or minor defects. An additional fee will be charged for vehicles outside of the Council’s policies to cover additional administration. (see Schedule of Fees) |
| 22 | Licence applications for vehicles in exceptional condition which are outside of the council’s policy, for example by age and type of vehicle, will be subject to additional checks relevant to the type of vehicle. Applicants must provide a council approved independent automobile engineers report for vehicles outside the Council’s age restrictions. This report is in addition to the Council’s mechanical inspection to indicate that the vehicle is in immaculate/exceptional condition. An additional fee will be charged for vehicles outside of the Council’s policies to cover additional administration. (see Schedule of Fees) | Licence applications for vehicles in “exceptional condition” which are outside of the council’s policy, for example by age and type of vehicle, will be subject to additional checks relevant to the type of vehicle. Applicants must request the vehicle be seen by the Licensing Team in order to assess if it meets the required standard. This check must be completed in good time before the licence plate expires. The Compliance test must show no advisory’s or minor defects. An additional fee will be charged for vehicles outside of the Council’s policies to cover additional administration. (see Schedule of Fees) |
| 32 | A Basic DBS certificateA certificate of good conduct | A Basic DBS certificate (unless you are the holder of a combined Hackney Carriage & Private Hire drivers licence issued by Lichfield District Council)A Certificate of good character |
| 32 | Licenses will be granted for a period of 5 years. The Licensing Authority may in exceptional circumstances grant a licence for a lesser period. | Licenses will be issued at a standard length of 5 years. Any shorter duration licence will only be issued when we think it is appropriate in the specific circumstance of the case, if a licensee has requested one or where required (e.g when the licence holders leave to remain in the UK is time-limited) or when the licence is only required to meet a short term demand. Licenses will not be issued on a probationary basis. |
| 33 | The Operator is responsible for all persons (and vehicles) that are employed, contracted or otherwise used in the course of their business. | The Operator is responsible for all persons (and vehicles) that are employed, contracted or otherwise used in the course of their business. A register of all staff that will take bookings or dispatch vehicles will be kept.All individuals listed on the register will be required to provide the operator with a basic Disclosure. DBS certificates should be recently issued. Individuals will be required to advise the operator of any convictions while they are employed in this role. A record that the DBS certificate has been seen will need to be recorded.Registers are required to be retained for period of not less than 12 months. |
| 35 | All new operators are required to complete Safeguarding training and complete refresher training every 3 years. | All new operators, unless they are holders of a Hackney Carriage & Private Hire Combined Drivers Licence issued by Lichfield District Council are required to complete Child Sexual Exploitation and County Lines training and complete refresher training every 3 years.  |
| 41 |  | To insert:-Should Lichfield District Council receive information that a licence holder did not disclose that they hold or have previously held a licence with another authority or that an application for a licence was refused, a licence revoked or suspended, the authority will consider whether the non-disclosure represents dishonesty and will review whether the licence holder remains fit and proper. |
| 41 |  | To insert:-Lichfield District Council will authorise officers from other authorities so that compliance and enforcement action can be taken against licensees from outside this area |
| 45 |  | To include in the list of Tariff’s:-Failure to display information on how customers are able to make complaints to Lichfield District Council |
| 48 |  | A decision to refuse or revoke a licence on public safety grounds will be also referred to the Police. |
| 50 | Once a DBS certificate is received the applicant has period of 31 calendar days to subscribe to the DBS update service | The applicant has within 30 days of the issue date of their certificate to subscribe to the DBS update service. |
| 51 |  | In some circumstances it may be appropriate under the Safeguarding Vulnerable Groups Act 2006 for licensing authorities to make referals to the DBS. A decision to refuse or revoke a licence as the individual is thought to present a risk of harm to a child or vulnerable adult, should be referred to the DBS. The power for the licensing authority to make a referral in this context arises from the undertaking of a safeguarding role.Action taken by licensing authority as a result of information received will be fed-back to the police. |
| 51 | The applicant is required to inform the Licensing Authority of any charges, warnings, cautions, convictions etc during the period the licence is held. This must be as soon as practicably possible. Failure to do so within 7 days of having been charged, warned, cautioned, convicted etc could result in the licence being reviewed | The applicant is required to notify the licensing authority within 48 hours of receiving a Fixed Penalty Notice, of being bailed, arrested, cautioned, reprimanded, or are involved in an investigation, charged with or convicted of any criminal offence and interviewed under caution at a police station for any offence which they are suspected of having committed. Failure to do so could result in the licence being reviewed. |
| 57 | The Licensing Authority requires an Enhanced Disclosure from the Disclosure and Barring Service (DBS) for any applicant for a driver licence. Applicants applying for the grant or renewal of a drivers licence will also be required to provide an enhanced DBS at their own expense on application and at any other time as determined by the Licensing Authority. Alternatively, a subscription to the update service is available. | The Licensing Authority requires an Enhanced Disclosure from the Disclosure and Barring Service (DBS) for any applicant for a driver’s licence. Applicants applying for the grant or renewal of a drivers licence will also be required to provide an enhanced DBS at their own expense on application and at any other time as determined by the Licensing Authority. Subscription to the update service is strongly advisable. |
| 59 | This section deals with offences and applies to new, renewal and review applications for Drivers and Operators Licences. | This section deals with offences and applies to new, renewal and review applications for Drivers, Vehicle Proprietors and Operators Licences. Each case will be considered on it’s own merits and applicants/licensees are entitled to a fair and impartial consideration of their application. Where a period is given, it should be taken to be a minimum in considering whether a licence should be granted or renewed in most cases. |
| 59 | An application will normally be refused if the applicant has a conviction for an offence that involved the loss of life. | 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 licenced. |
| 59 | Murder ManslaughterManslaughter or culpable homicide while driving | All to be deleted |
| 60 | A Licence will not normally be granted where the applicant has a conviction or caution for an offence or similar offence(s) which replace the offences below and at least 3 years have passed since the completion of any sentence and/or licence period:- | A Licence will not normally be granted where the applicant has a conviction or caution for an offence or similar offence(s) which replace the offences below and at least 10 years have passed since the completion of any sentence and/or licence period:- |
| 61 | As licensed drivers often carry unaccompanied and vulnerable passengers, applicants with convictions or cautions for sexual offences must be closely scrutinised. All sexual offences should be considered as serious. Applicants with convictions or cautions for sexual offences will normally be refused a licence upon application, renewal or review. | As licensed drivers often carry unaccompanied and vulnerable passengers, applicants with convictions or cautions for sexual offences must be closely scrutinised. All sexual offences should be considered as serious. Applicants with convictions or cautions for sexual offences will be refused a licence upon application, renewal or review. |
| 61 |  | Include:-Is on the Sex Offenders Register or on any barred list |
| 62 | A licence will not normally be granted where the applicant has more than one conviction or caution for offences related to the supply of drugs and has not been free of conviction for 10 years. |  A licence will not normally be granted where the applicant has a conviction or caution for offences related to the supply of drugs or possession with intent to supply and has not been free of conviction for 10 years |
| 62 | A licence will not normally be granted where the applicant has more than one conviction or caution for offences related to the possession of drugs and has not been free of conviction for 5 years. | A licence will not normally be granted where the applicant has a conviction or caution for offences related to the possession of drugs and has not been free of conviction for 5 years.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. |
| 62 |  | Insert:-Where an applicant has a conviction involving or connected with discrimination in any form, a licence will be granted until at least seven years have elapsed since the completion of any sentence imposed. |
| 63 | A very serious view is to be taken of any applicant who has been convicted of a driving offence that resulted in the loss of life. A licence will not normally be granted if the applicant has a conviction for:Causing death by dangerous drivingCausing death by careless driving whilst under the influence of drink or drugsCausing death by driving unlicensed, disqualification or uninsured driversOr any similar offences (including attempted or conspiracy to commit) offences which replace the above | A very serious view is to be taken of any applicant who has been convicted of a driving offence that resulted in the death of another person or was intended to cause the death or serious injury of another person. A licence will not be granted. |
| 63 | Before a licence is granted, an applicant should be free of conviction for 10 years (or at least 10 Years must have passed since the completion of the sentence, whichever is longer) if the applicant has a conviction for:Causing death by careless drivingCausing death by driving unlicensed, disqualification or uninsured drivers | Delete |
| 63 |  | Insert: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. |
| 64 |  | Insert: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 |
| 71 | The driver must report the loss of the licence and/or badge(s) to the council as soon as such loss becomes known and arrange an appointment with the Licensing Officer for the issue of any replacement and make payment for any appropriate fee. | The driver must report the loss of the licence and/or badge(s) to the council as soon as such loss becomes known and arrange for the issue of any replacement and make payment for any appropriate fee. |
| 73 | The driver must have regard to:- <https://www.staffordshire.police.uk/lost_and> \_found with regard to lost property. The Driver must ensure lost property found within or originating from the vehicle with a value over £10 is reported to the Lichfield District Council Licensing Team and if it were a pre-booked journey, the Operator. | The driver must have regard to:- <https://www.staffordshire.police.uk/ro/report/lp/lost-or-found-property/> with regard to lost property. Any lost property found within or originating from the vehicle must be reported to Lichfield District Council’s Licensing Team and if it were a pre booked journey, the operator. |
| 74 | The Driver must within 14 days of received a Fixed Penalty Notice, of being bailed, arrested, cautioned, reprimanded, or are involved in an investigation, charged with or convicted of any criminal offence and interviewed under caution at a police station for any offence which you are suspected of having committed give full details of it to the Council in writing. | Driver Licence holders are required to notify the licensing authority within 48 hours of receiving a Fixed Penalty Notice, of being bailed, arrested, cautioned, reprimanded, or are involved in an investigation, charged with or convicted of any criminal offence and interviewed under caution at a police station for any offence which you are suspected of having committed. |
| 75 | The Driver will complete Safeguarding and disability awareness training and a refresher every three years | The Driver will complete Safeguarding, County Lines and disability awareness training and a refresher every three years |
| 76 |  | Insert:-All of the offences listed in the Penalty Points Scheme are included as relevant conditions. |
| 76 | The vehicle licence must be valid for a period of one year and must be renewable on the anniversary of the original licence until the vehicle is either replaced or reaches the upper age limit | The vehicle licence will be valid for a period of up to 12 months and must be renewed on or before the anniversary of the original licence until the vehicle is either replaced or reaches the upper age limit. |
| 76 |  | To incorporate as a condition:-Information must be displayed within the vehicle, clearly visible on how customers are able to make complaints to Lichfield District Council |
| 76 |  | To include in list of Conditions:-Side identity stickers are to be fixed by using the sticker adhesive. Magnets are not to be used. |
| 79 | Should the vehicle be sold or transferred in any other way, to continue as a licensed vehicle within the period of the licence, the vehicle licence holder must notify the Licensing Team in writing of such matter within 7 days of the date that he or she sold or transferred the ownership of the vehicle.Should the vehicle be sold or transferred in any other way, to continue as a licensed vehicle, the new proprietor shall arrange for an appointment with the Licensing Team in order to carry out the “transfer of ownership” of the vehicle licence, and submit to the licensing team his/her application. | Should the licensed vehicle be sold to another person the vehicle licence will be required to be transferred. An application together with certificate of insurance and vehicle log book will be required to be submitted within 7 days of the sale. |
| 80 | The proprietor of a Hackney Carriage and Private Hire Vehicle must within 14 days of receiving a Fixed Penalty Notice, of being bailed, arrested, cautioned, reprimanded, or are involved in an investigation, charged with or convicted of any criminal offence and interviewed under caution at a police station for any offence which you are suspected of having committed disclose to the council in writing. | Vehicle Licence holders are required to notify the licensing authority within 48 hours of receiving a Fixed Penalty Notice, of being bailed, arrested, cautioned, reprimanded, or are involved in an investigation, charged with or convicted of any criminal offence and interviewed under caution at a police station for any offence which you are suspected of having committed. |
| 81 |  | Insert:The vehicle proprietor will complete Safeguarding, County Lines and disability awareness training and a refresher every three years |
| 82 | Executive Hire Vehicles | Executive Hire Vehicles – Plate and Side Sticker Exemption |
| 82 | Executive hire vehicles are licensed separately from Hackney Carriage Vehicles and Private Hire Vehicles. Executive hire vehicles are a special class of private hire vehicle. They are high value, prestige vehicles that are used by companies for transporting special guests or senior members of staff in luxury. Executive hire vehicles are styles more as chauffeur driven vehicles than standard private hire vehicles.Executive Hire vehicles must be licensed with the council specifically as executive hire vehicles. | Executive Hire Vehicles are Private Hire Vehicles with an additional application to be made for an exemption to display the licence plate and side stickers. They are high value, prestige vehicles that are used by companies for transporting special guests or senior members of staff in luxury. Executive hire vehicles are styles more as chauffeur driven vehicles than standard private hire vehicles.Separate conditions apply to Executive Hire Vehicles with the exemption to display the vehicle plate and side stickers. |
| 111 |  | Insert:All of the offences listed in the Penalty Points Scheme are included as relevant conditions. |
| 111 |  | Insert:-A register of all staff that will take bookings or dispatch vehicles will be retained for a period of not less than 12 months. |
| 111 | The operator must before a hiring starts, record in a suitable book the pages of which are numbered consecutively, or by use of a suitable computer programme the following particulars:1. The date and time of the booking
2. The name and contact telephone number/email address (if either are available) of the hirer and, where the booking is received from another operator, the name of that operator
3. The manner in which the booking was made (i.e whether by telephone, in person, or by electronic means)
4. The time and place at which it is intended that the passenger shall be collected
5. The destination (which may be recorded electronically at the conclusion of the journey using GPS tracking)
6. The time at which the driver was allocated the booking
7. The registration number and licence plate number of the vehicle allocated to the booking
8. The licence number of the driver who will attend the booking
9. Where the booking is passed onto another operator by way of sub-contracting, the name and address of that operator together with the operator’s licence number and issuing authority
 | The operator must before a hiring starts, record in a suitable book the pages of which are numbered consecutively, or by use of a suitable computer programme the following particulars:1. The date and time of the booking
2. The name and contact telephone number/email address (if either are available) of the hirer and, where the booking is received from another operator, the name of that operator
3. The manner in which the booking was made (i.e whether by telephone, in person, or by electronic means)
4. The time and place at which it is intended that the passenger shall be collected
5. The destination (which may be recorded electronically at the conclusion of the journey using GPS tracking)
6. The time at which the driver was allocated the booking
7. The registration number and licence plate number of the vehicle allocated to the booking
8. The name and driver licence number of the driver who will attend the booking
9. where the booking is passed onto another operator by way of sub-contracting, the name and address of that operator together with the operator’s licence number and issuing authority
10. The name of the individual responding to the booking request
11. The name of the individual that dispatched the vehicle.
 |
| 111 |  | To insert:-The use of a driver who holds a PCV licence and the use of a public service vehicle such as a minibus to undertake a private hire vehicle booking should not be permitted as a condition of the private hire vehicle operator‘s licence without the informed consent of the booker |
| 113 | The operator shall inform the Council in writing and within 14 days of Him/Her having received a Fixed Penalty Notice, of been bailed, arrested, cautioned, reprimanded, or is involved in an investigation, charged with or convicted of any criminal offence and interviewed under caution at a police station for any offence which you are suspected of having committed. | Operator Licence holders are required to notify the licensing authority within 48 hours of receiving a Fixed Penalty Notice, of being bailed, arrested, cautioned, reprimanded, or are involved in an investigation, charged with or convicted of any criminal offence and interviewed under caution at a police station for any offence which you are suspected of having committed. |
| 114 |  | Insert:The operator will complete Safeguarding, County Lines and disability awareness training and a refresher every three years |