

Solihull Council Taxi and Private Hire Licensing Policy 2026



Revised July 2026



Solihull
METROPOLITAN
BOROUGH COUNCIL

Private Hire & Hackney Carriage Licensing Handbook - Guidance to Applicants and Licence Holders

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Document Revision Dates

Version	Date	Reason
1.0	23 June 2025	Draft version put out to public consultation
1.1	2 September 2025	Revised version for approval by Licensing Sub-Committee following consultation
1.2	July 2026	Revised to reflect amendments highlighted following Licensing Sub-Committee comments, changes to publication dates and minor amendments to pass marks in training courses, validity of certificates and to provide clarity regarding acceptable documentation. Revision to layout/format to reflect design of webpages – contents remain the same.

The Licensing Authority may make administrative or urgent revisions to this document to take immediate effect without consultation, and these (along with programmed or substantial revisions) will be reflected in the table above.

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Introduction

How to apply for a Private Hire or Hackney Carriage (Taxi) licence with Solihull Council.

This guide will help you through the application process, as well as explaining what happens after your licence has been granted. This includes your obligations as the licence holder, as well as the role and responsibilities of Solihull Council.

Please read all sections carefully. We are not responsible for any cost or disadvantage, if you do not read or follow our licensing requirements, policy guidelines, rules or conditions.

Private Hire/Hackney Carriage Driver's Licence

1. How to apply

Before applying, you will need to complete the following pre-application criteria:

1.1. Practical Driving Assessment

You must undertake an [assessment with the Blue Lamp Trust](#).

Your certificate needs to be less than 12 months old when you apply for your licence.

1.2. Enhanced Disclosure and Barring Service (DBS) disclosure certificate

You must obtain an Enhanced DBS disclosure certificate that is less than 1 month old when you apply.

You can [apply for an Enhanced DBS check with TaxiPlus](#).

The certificate must:

- be enhanced (we will not accept basic or standard)
- be for the occupation of taxi/private hire driver under 'other workforce'
- include a check of both the adults' and children's barred lists

You must [subscribe to the DBS update](#) service within 30 days of the certificate being issued to enable us to check your criminal record on a regular basis.

If you already have an enhanced certificate that meets the above criteria and are subscribed to the DBS update service, you may provide these details instead.

1.3. Medical assessment with a General Medical Council (GMC) registered medical practitioner

Please print our [medical assessment form](#) and take it with you to your chosen GMC registered medical practitioner. You will need a medical assessment under the DVLA Group 2 medical standards.

The certificate should be dated within 1 month when you make your application.

1.4 Training requirement

You will need to complete our Private Hire and Hackney Carriage training course that will assess your suitability for a licence.

[Book your training course](#)

The course takes approximately 4 hours (breaks provided) plus an additional 60 minutes for a test at the end. The course will cover:

- safeguarding and understanding Child Sexual Abuse and Exploitation (CSAE) risks, including county lines exploitation
- disability awareness and the Equality Act 2010
- customer service and communication skills/language skills
- the Highway Code and road safety
- vehicle maintenance
- compliance with legislation, conditions and policy requirements

The course will be interactive, and you will need to actively take part so that the trainer can assess your understanding.

There will be 48 questions on the test (8 on each subject) and will be a combination of spoken, written and multiple-choice. To pass, you must get 36 questions right (75%). You will be contacted within 5 working days with your results.

If you fail the test, you may retake the whole course or just the test and a fee will be payable for this.

Your certificate needs to be less than 12 months old when you apply for your licence.

1.5. DVLA licence check code

You must [get a check code from the DVLA](#) so we can view your driving licence.

The code is only valid for 21 days.

1.6. Right to Work

If you have a UK passport (either current or expired) you must provide this as proof of your right to work in the UK.

If you are a British citizen but do not have a current or expired UK passport, you must provide other documents. You can check this at [Right to work checks: an employer's guide - GOV.UK](#)

If you are not a British citizen, you must provide a share code to enable us to check your eligibility to work in the UK: [Prove your right to work to an employer: Get a share code online - GOV.UK](#)

1.7. HMRC tax check (where applicable)

If you currently hold a private hire or hackney carriage licence in any other authority or have held one with this or any authority within the last 12 months, you must complete a tax check and provide the 9-character check code to us. Details on how to do this can be found here: [Complete a tax check for a taxi, private hire or scrap metal licence - GOV.UK](#)

The code will expire after 120 days.

You do not need a tax check, if you:

- do not currently hold a private hire or hackney carriage licence
- have not held one within the last 12 months in this or any other authority

We will require you to sign a declaration confirming that you do not have a licence.

1.8. Additional documents required

You will need to provide a:

- DVLA photo-card (both sides), or both sides of the old-style paper licence if you do not have a photo-card. You must've held a full UK driving licence for at least 12 months.
- clear, current passport-style photograph of your head and shoulders.
- [completed application form](#)

Book an appointment

Once you have all your documents ready and have completed all the pre-application criteria, please email us at licensing@solihull.gov.uk to book an appointment.

You will need to provide:

- your full name
- your date of birth
- your mobile number
- the reason for your appointment

We will not accept walk-ins so you must make an appointment.

2. At your appointment

What will happen at your appointment with the Licensing team.

2.1. Identity checks and logging your application

We will check all your documents for validity and use a range of online portals to confirm your details and identity.

Your personal details (name, address, date of birth etc.) on all your documents must match, and if there are any inconsistencies or queries, we may reject or pause your application and ask you further questions.

We will input your application onto our system and scan your documents to attach to your record.

2.2. Check of the National Register for Refusals, Revocations & Suspensions (NR3S)

We have a legal duty to search the NR3S register before issuing any hackney carriage or private hire driver's licence.

If you have previously had a hackney carriage or private hire driver's licence refused, suspended or revoked, it will show as a 'record' on the register, and we will make further enquiries.

2.3. Enquiries with other licensing authorities

If you have ever held a hackney carriage or private hire licence with another authority, we will make data protection enquiries with them.

2.4. Knowledge Test (Hackney Carriage applicants only)

You will be [required to buy](#) a link to an online 'knowledge folder' which contains several two-point locations and routes around the Solihull borough and nearby area. This will help you revise for the test, which will be conducted in person by an officer.

The test will consist of 50 two-point locations and 20 routes. You must get 90% correct on both elements to pass the test. You must pass the test within 12 months of submitting your application and will be allowed to take the test up to three times.

There is a [fee](#) for each test taken.

You can book an appointment for the test by emailing licensing@solihull.gov.uk.

2.5. Payment

You will be required to [pay an application fee](#) that covers all the processing, initial checks and enquiries. We only accept payment by credit or debit card.

We do not accept cash or cheques.

3. Making a decision about your licence application

How we decide if your application for a private hire or hackney carriage driver's licence is successful.

3.1. Granting the licence

If all enquiries are satisfactory and are in line with our current policy, you will be invited to pay (please see [fees & charges](#) for your licence and to make an appointment to collect your badge, licence and conditions.

You will be given an ID badge that you must wear as prescribed by conditions while working as a hackney carriage/private hire driver. We will also get you to sign a declaration to confirm that you will agree to read and comply with your licence conditions.

Licences will be granted for three years unless there are exceptional reasons to grant for a shorter period. These reasons include (but are not limited to):

- medical history or concerns

- immigration status
- outstanding queries about any other matter or concern

3.2. Officer warnings, panel meetings and Licensing Sub-Committee

If you have a criminal history, penalty points on your DVLA licence or there is anything else of concern regarding your application, or any aspect that does not meet current policy criteria, you will be invited to discuss the matter with either:

- an authorised officer
- a panel of officers
- at a meeting of the licensing sub-committee

This will always be the final stage in the application process, to ensure all relevant issues are being considered.

In all cases, to help the decision maker, you may wish to provide a written personal statement and/or references. In your personal statement you should outline any mitigation for your circumstances and illustrate what you feel makes you fit and proper to hold a licence.

Any personal, family or financial worries cannot be considered as the only matter we are concerned with is whether you are safe and suitable to hold a hackney carriage or private hire driver's licence.

Who can review your application

3.2.1 Authorised officers

These are members of the team who will investigate any queries about your application and have delegated authority to issue warnings and advice regarding certain matters.

You will usually be invited to the office to discuss the matter, and the officer will then follow this up with written confirmation, via email.

3.2.2 Officer panel

This is where the investigating officer will make a referral about your case to a panel of two or more officers and you will be invited to speak with them to put forward any mitigation and answer their questions.

You will be sent a copy of the report in advance.

3.2.3 Licensing Sub-Committee

This is a panel of three to five elected councillors who sit on a regular basis to hear or review applications, and you will be invited to the meeting to put forward any

mitigation and answer their questions. You will be sent a copy of the report in advance.

Both the officer panel and the licensing sub-committee can grant or refuse your licence. Their decision will be sent to you via email within 14 days of the decision being made.

If your application is refused, an entry will be made on the National Register of Taxi Licence Refusals, Revocations, and Suspensions (NR3S) register.

How to appeal

You have the right to appeal to Magistrates against the refusal of a licence application, and this must be done in writing within 21 days of you being notified of the decision.

4. Renewing your licence

Where possible, we will send you a reminder by email or text to renew your licence before it expires.

It is your responsibility to ensure you renew your hackney carriage or private hire driver's licence before it expires.

We strongly advise you to allow plenty of time and book an appointment that falls at least four to six weeks before your licence expires.

If your licence has expired

We can only renew an expired licence in exceptional circumstances and if you have missed the renewal by a couple of days. If you let your licence expire and make a request for a late renewal, we will ask you to provide evidence of your exceptional circumstances.

If we are not satisfied, we will not allow the renewal. In those circumstances, you would have to apply again as a new applicant and fulfil the required criteria, as laid out in section 1.

How to renew your licence

You will need to have completed the following to renew your licence.

4.1. DVLA licence check code

You must get a check code to enable us to view your driving licence here: [View or share your driving licence information - GOV.UK](#)

This code is only valid for 21 days.

4.2. HMRC Tax check

You must complete a tax check and provide the 9-character check code to us.

Details on how to do this can be found here: [Complete a tax check for a taxi, private hire or scrap metal licence - GOV.UK](#)

The code will expire after 120 days.

4.3. Refresher training

You will need to book and undertake refresher training in safeguarding, driving attitudes and behaviours, and local policy requirements.

[Book your refresher training](#)

Your certificate needs to be less than 12 months old when you renew your licence.

4.4 Additional documents required

You will need to provide a:

- DVLA photo-card (both sides), or both sides of the old-style paper licence if you do not have a photo-card
- clear, current passport-style photograph of your head and shoulders
- [completed application form](#)

Book an appointment

Once your documents are ready and you've completed all the pre-application steps, please email us at licensing@solihull.gov.uk to book an appointment.

Please provide:

- your full name
- your date of birth
- your mobile number
- the reason for your appointment

We will not accept walk-ins so you must make an appointment.

5 [At your renewal appointment](#)

What will happen at your renewal appointment.

5.1 Identity checks and logging your application

We will check all your documents and use a range of online portals to confirm your details and identity. Your personal details (name, address, date of birth etc.) on all your documents must match, and if there are any inconsistencies or queries, we may reject or pause your application and ask you further questions.

We will input your application onto our system and scan your documents to attach to your record.

5.2 Check of the National Register for Refusals, Revocations & Suspensions (NR3S)

We have a legal duty to search the NR3S register before renewing any hackney carriage or private hire driver's licence.

If you have previously had a hackney carriage or private hire driver's licence refused, suspended or revoked, it will show as a 'record' on the register, and we will make further enquiries.

5.3 Enquiries with other licensing authorities

If you have ever held a hackney carriage or private hire licence with another authority, we will make data protection enquiries with them.

5.4 Payment

You will be required to [pay a renewal fee](#) .

We only accept payment by credit or debit card. We do not accept cash or cheques.

6 Making a decision about your renewal

How we decide if your renewal application is successful.

6.1 Granting the licence

Once all checks have been completed and if all other enquiries are satisfactory and are in line with our current policy, you will be invited to [pay for your licence](#) and will be issued with your badge, licence and conditions.

You will be given an ID badge that you must wear as prescribed by conditions while working as a hackney carriage or private hire driver. We will also get you to sign a declaration to confirm that you will agree to read and follow your licence conditions.

Licences will be granted for three years unless there are exceptional reasons to grant for a shorter period.

These reasons include (but are not limited to):

- medical history or concerns
- immigration status
- outstanding queries about any other matter or concern

6.2 Pausing the renewal process

If there are any outstanding issues at the time of your renewal, it may be paused while enquiries are made or investigations carried out.

These matters include, but are not limited to:

- unresolved complaints or service requests received by the licensing authority
- endorsements on your DVLA driving licence
- medical concerns
- new information on your criminal record

- inconsistencies in personal information on your documentation
- records on the NR3S register
- outstanding requests under the Data Protection Act 2018
- any information we are aware of that you have not disclosed

It is of vital importance that you:

- apply for your renewal in plenty of time before your current licence expires
- disclose any information to us within the timescales laid out in the conditions attached to your licence

7 Throughout the life of your licence

What you may need to do when holding a private hire or hackney carriage driver's licence.

7.1 Notifications

You must notify us about any changes to personal details, circumstances or any other information.

Your licence conditions tell you what changes you need to notify us about.

7.2 Complaints/investigations

If we receive a complaint, query or any other intelligence about you we will investigate it and contact you.

We will apply our policy guidelines and treat every case on its own merits and will keep you updated with any possible sanctions against you.

7.3 Medical requirements

You must ensure you are medically fit in line with the DVLA Group 2 guidelines. You must:

- Notify us about any medical conditions (as required by the conditions attached to your licence)
- get a medical certificate at regular intervals as specified in the guidelines

At the moment this is at the age of 45, and every five years up to the age of 65, and then annually.

You must send the certificate to us by email at licensing@solihull.gov.uk before the milestone age, otherwise your driver's licence may be suspended until you provide it. This will be confirmed in writing, and you will be required to return your badge to us immediately.

7.4 No longer requiring the licence

It is not possible to 'surrender' your hackney carriage or private hire driver's licence.

If you no longer wish to work as a hackney carriage or private hire driver, you should email us at licensing@solihull.gov.uk to make an appointment to return the badge and paper licence to the licensing office.

If there are outstanding matters or open investigations these will still be concluded, but if not, your licence will remain 'on file' until it naturally expires and will then be destroyed.

7.5 DBS information

Your licence may be suspended if we are told that:

- there is new information on your DBS record
- you are no longer subscribed to the DBS update service

This will be confirmed in writing, and you will be required to return your badge to us immediately.

7.6 Immigration status

If your immigration status changes and there is any change to your residency or right to work, you must inform us immediately so that we can make further enquiries with Home Office.

Your licence may be suspended if you no longer have the right to work in the UK.

7.7 Medical exemption applications

If you wish to apply for a medical exemption from either carrying assistance dogs in your vehicle, or carrying wheelchairs (or both), you must complete the first part of the [attached form](#). You then take the form to any GP or registered medical practitioner, who assesses you and completes the second part. You must then submit the completed form to us via email at licensing@solihull.gov.uk

We will contact you for further information if needed and consider what the GP/ registered medical practitioner has said. We will inform you of our decision to grant or refuse the application for exemption within 14 days and if granted, will issue you with a medical exemption certificate that must be displayed in any licensed vehicle you are driving.

Private Hire/Hackney Carriage Vehicle Proprietor's Licences

8 How to apply

Before applying, you will need to follow or complete the following pre-application steps.

8.1 Specification

The vehicle must meet the specification laid out in [Annex A](#) of this document.

8.2 MOT and Supplementary test

You must have the vehicle tested at one of our approved testing stations:

Auto Q – Unit 7, Chelmsley Wood Industrial Estate, Waterloo Avenue, Chelmsley Wood, B37 6QQ.

Tel – 0121 770 1201

Kingshurst Automotive – Saxon Way, Chelmsley Wood, B37 5AY.

Tel – 0121 770 9377

Autoworkshop – 207/209 Bradford Road, Castle Bromwich, B36 9AG.

Tel – 0121 748 4800

Solihull Vehicle Service Centre Ltd – Unit 3, Thornhill Road, Solihull, B91 2HB

Tel – 0121 258 0007

Vehicle test fees

To confirm your booking, you may need to make a deposit or pay a fee before your vehicle test.

You may also be charged if you arrive late or miss your appointment

Any retest fees are at the discretion of the testing station.

Before your test

Before you attend your test, you must ensure that:

- your vehicle's seating upholstery is in a good, clean condition and is free of any tears or cuts
- each of the four tyres should have a tread depth of more than 2mm

What happens at the vehicle test

All vehicles need a test, regardless of age.

As well as an MOT, the test centre will complete a detailed mechanical inspection. This is called the supplementary test.

The test centre will check:

- the condition of the bodywork
- that all fittings are secure
- the inside of your vehicle is in good order

The test papers are only valid for 10 working days.

8.3 Up to date HPI check

There are several organisations online that can provide an History and Performance Investigation (HPI) report for the vehicle.

The report will provide information on the vehicle's history, including:

- any recorded damage
- outstanding finance
- if the vehicle has been reported as stolen

We will not licence any vehicle that has been declared a write-off, regardless of the category.

Please ensure to use a competent and reputable organisation for the report, as we'll need to check your vehicle's damage and insurance history.

We will only accept the report if it's dated within one month of your renewal date

8.4 Proof of insurance

You must provide a current insurance certificate or cover-note for the vehicle with the appropriate use, i.e. private hire or public hire (for hackney carriages).

The document must be in its original format. This should be a:

- letter, if your documents were provided by post
- PDF, if your documents were provided by email

We will not accept a photocopy or photograph of the certificate or cover-note.

Your proof must clearly show the:

- vehicle registration number
- names of those insured to drive the vehicle

Private hire or public hire insurance

Private hire or public hire insurance only covers drivers that hold the appropriate licence to drive the vehicle.

8.5 V5C (Logbook)

You must provide the original V5C.

If you recently bought your vehicle

If you recently bought your vehicle and do not have the V5C, you must provide:

- the new keeper slip or email confirmation from the DVSA (Driver and Vehicle Standards Agency)
- proof of the purchase, such as a receipt

You will then have 28 days to provide the V5C.

If you are leasing the vehicle

If you are leasing the vehicle, the V5C will be in the leasing company's name.

The law recognises the leaser as a 'part-proprietor' and the vehicle will be licensed in the leaser's name.

Vehicles that have had their seating capacity changed

If seats have been added or removed from your vehicle, it will need a Normal Individual Vehicle Approval (IVA) test before it can be used for private hire or as a hackney carriage.

You must provide the:

- test certificate
- updated V5C that lists the adaptation

8.6 Basic DBS certificate

You must provide a basic Disclosure and Barring Service (DBS) certificate, dated within one month.

This is not required if you are:

- a Solihull licensed driver
- subscribed to the DBS update service

Partnerships and limited companies

If your application is in the name of a partnership or a limited company, you must provide a DBS certificate for each partner or director.

We will check this information on Companies House.

8.7 LPG Conversion certificate (if applicable)

If the vehicle has been converted to Liquefied Petroleum Gas (LPG) you must provide a conversion certificate.

The certificate issued must be from an LPG Industry approved garage.

8.8 LOLER (Lifting Operations and Lifting Equipment Regulations 1998) Certificate (if applicable)

If the vehicle is fitted with a tail lift or lifting equipment, you must produce a Lifting Operations and Lifting Equipment Regulations 1998 (LOLER) certificate issued at the time of the test.

Lifting equipment includes any equipment used at work for lifting or lowering loads, including attachments used for anchoring, fixing or supporting it.

8.9 M1 Type Approval Certificate (if applicable)

If the vehicle has been converted from a van that has a type of approval other than M1, you must provide an approved M1 certificate.

8.10 Meter Calibration Certificate (Hackney Carriages only)

You must provide evidence, from a suitable meter calibration company, that your meter:

- has been tested
- is calibrated to calculate fares in line with the approved tariff within Solihull

This must be dated within the last 12 months.

8.11 Other documents required

You must provide:

- a. A [completed application form](#)

How to book an appointment

Once your documents are ready and you've completed all the pre-application steps, please email us at licensing@solihull.gov.uk to book an appointment.

Please provide:

- your full name
- your mobile number
- the reason for your appointment

We will not accept walk-ins so you must make an appointment.

9 At your appointment

What will happen at your appointment with the Licensing team.

9.1 Document verification and logging your application

We will check your documents and confirm your details and identity. Your personal details (name, address, etc.) and the vehicle details on all documents must match.

If we find any inconsistencies or have queries, we may reject or pause your application and ask you further questions.

We will input your application onto our system and scan your documents to attach to your record.

9.2 Payment

You will be required to [pay a licence fee](#).

We only accept payment by credit or debit card. We do not accept cash or cheques.

10 Making a decision about your licence application

How we decide if your renewal application is successful.

10.1 Granting the licence

If your documents are satisfactory and are in line with current policy requirements, the vehicle licence will be granted.

You will be given a two vehicle plates (one large external plate, and one smaller internal plate) that must be securely fixed to the vehicle as specified in the conditions. The fixings for your vehicle plates will be provided.

You will also receive a:

- paper licence
- certificate of compliance
- set of licence conditions

You will need to sign a declaration to confirm you will read and agree to your licence conditions.

Licences will be granted for one year, in line with the MOT date.

10.2 Information on the DBS certificate

If there is information on the DBS certificate that does not meet current policy criteria, you will be invited to discuss the matter with:

- an authorised officer
- a panel of officers
- at a meeting of the licensing sub-committee.

This will always be the final stage in the application process, to ensure all relevant issues are being considered.

In all cases, to help the decision maker, you may wish to provide a written personal statement and/or references. In your personal statement you should outline any explanation for your circumstances and illustrate what you feel makes you fit and proper to hold a licence.

Any personal, family or financial worries cannot be considered, as the only matter we are concerned with is whether you are safe and suitable to hold a hackney carriage or private hire vehicle licence.

Who can review your application

10.2.1 Authorised officers

These are members of the team who will investigate any queries about your application and have delegated authority to issue warnings and advice regarding certain matters.

You will usually be invited to the office to discuss the matter, and the officer will then follow this up with written confirmation, via email.

10.2.2 Officer panel

This is where the investigating officer will make a referral about your case to a panel of two or more officers and you will be invited to speak with them to put forward any explanation and answer their questions.

You will be sent a copy of the report in advance.

10.2.3 Licensing Sub-Committee

This is a panel of 3 to 5 elected councillors who sit on a regular basis to hear or review applications, and you will be invited to the meeting to put forward any mitigation and answer their questions.

You will be sent a copy of the report in advance.

Both the officer panel and the licensing sub-committee can grant or refuse your licence. Their decision will be sent to you by email within 14 days of the decision being made.

How to appeal

You have the right to appeal to Magistrates against the refusal of a licence application.

This must be done in writing within 21 days of you being notified of the decision.

11 Renewing the licence

Where possible, we will send you a reminder by email or text to renew your licence before it expires.

It is your responsibility to ensure you renew your hackney carriage or private hire vehicle proprietor's licence before it expires.

We strongly advise you to allow plenty of time and book an appointment that falls at least two to four weeks before your licence expires.

If your licence has expired

We can only renew an expired licence in exceptional circumstances and if you have missed the renewal by a couple of days. If you let your licence expire and make a request for a late renewal, we will ask you to provide evidence of your exceptional circumstances.

If we are not satisfied, we will not allow the renewal. In those circumstances, you would have to make a [new application](#).

This may have significant implications around the vehicle specification, as we will only accept certain criteria for new vehicles.

11.1 Renewal criteria

All renewal criteria for a private hire/hackney carriage vehicle proprietor's licence are identical to the requirements for a [new licence](#), so please see sections 8-10 above.

12 Throughout the life of a licence

What you may need to do when holding a private hire or hackney carriage proprietor's licence.

12.1 Selling the vehicle with the licence

If you wish to sell the vehicle while the licence is still in force and transfer it someone else, you must notify us first within the timescales laid out in the licence conditions. You will need to [complete a form](#) with a declaration with your details and the purchaser's details. The purchaser will need the following:

- Proof of insurance (see 8.4 above)
- The V5C logbook (see 8.5 above)
- A basic DBS certificate (see 8.6 above)

There is a [fee to pay](#) for the transfer of the licence.

12.2 Selling the vehicle privately

You must tell us if you wish to sell the vehicle privately and cancel your licence. This must be done within the timescales laid out in the licence conditions.

You will need to return both the plates and the paper licence. Please email us on licensing@solihull.gov.uk for an appointment.

You may receive a refund on any remaining months left on the licence, following the deduction of administrative costs.

12.3 Cancelling the licence

If you no longer wish the vehicle to be licensed, you must return both the plates and the paper licence.

Please email us at licensing@solihull.gov.uk for an appointment.

You may receive a refund on any remaining months left on the licence, following the deduction of administrative costs.

12.4 Changing the registration number on your vehicle (personalised/cherished number)

You must tell us if you change the registration number on your vehicle. The timescales are laid out in the licence conditions.

You will need to [complete our form](#) and provide:

- proof of insurance (see 8.4 above)
- the V5C showing the new registration details (see 8.5 above)
- the V778 number plate retention certificate issued by the DVLA.

There is a [fee to pay](#) for this change to the licence.

12.5 Accidents

If the vehicle is involved in an accident, you must email us at licensing@solihull.gov.uk within the timescales laid out in the licence conditions. We will then contact you to determine next steps.

If the vehicle is driveable, we will make an appointment for an inspection. During the inspection we will check the visual safety and appearance of the vehicle.

If the vehicle is not driveable, you will need to provide photographs of the damage and a report from an engineer or recovery company, if required.

Deciding if your vehicle can still be used

In all cases we will decide whether the vehicle remains suitable to be used as a private hire or hackney carriage vehicle.

If we suspend the licence:

- we will issue a suspension notice alongside the inspection form
- you must bring both licence plates back to us for them to be filed, pending the repair

If we declare the vehicle suitable to be used as a private hire/hackney carriage vehicle, we will not suspend the licence. You may still be issued with a minor damage notice, requiring any repairs to be completed in a reasonable amount of time.

In both cases, you will be required to present the vehicle for a reinspection so that we can be satisfied that the repairs have been carried out to a good standard.

If we are happy with the repairs:

- you will be asked to present current proof of insurance
- we will cancel any suspension notice issued
- the licence plates will be returned to you

Arranging for repairs

If the repairs are not completed within two calendar months, your licence will be automatically revoked.

If the vehicle cannot be repaired and is declared written-off, you must inform us as soon as possible.

We may require a further [HPI check](#) to be carried out (see 8.3 above).

12.6 Spot checks

Your vehicle may be subject to a spot check, either:

- as part of a partnership exercise
- by advance request from the Council or an authorised officer

You must present your vehicle for inspection, or you may be investigated for obstruction offences.

12.7 Plate exemption requests

Only 'executive' type vehicles will be considered for an exemption from displaying the exterior private hire vehicle plate.

To request an exemption, you need to:

1. [complete an application form](#)
2. email licensing@solihull.gov.uk for an appointment

We will ask you to provide information to evidence why we should allow the exemption.

This includes, but is not limited to:

- the full-service history
- evidence of recent or proposed bookings within the last three months
- references, dated in the last three months, from clients evidencing why the exterior plate should not be displayed

We will also need to inspect the vehicle to ensure it is in exceptional condition and meets the exemption request.

If granted, we will give you an exemption certificate that is granted to the licence holder for up to one year. This should be always kept in the vehicle and produced on request.

You will need to reapply each year.

12.8 Upgrading your vehicle

If you wish to licence a new vehicle, the date of registration (as listed in the V5C) must be at least six months newer than the previous one you licensed.

This will ensure the fleet continues to get 'younger' and standards are maintained.

Private Hire Operator's Licence

13 How to apply

Before applying, you will need to complete the following pre-application steps.

In the case of a partnership or limited company, each of the criteria is required for each partner or director, unless otherwise stated.

We will check this information with Companies House.

13.1 Basic DBS disclosure certificate

You must provide a basic Disclosure and Barring Service (DBS) certificate, dated within one month.

This is not required if you are:

- a Solihull licensed driver
- subscribed to the DBS update service

13.2 Disability awareness training

You will need to complete disability awareness training and provide your test certificates, dated within the last six months.

You can book a course with [BLT Driver Training](#).

13.3 Right to work

If you have a UK passport (either current or expired) you must provide this as proof of your right to work in the UK.

If you are a British citizen but do not have a current or expired UK passport, you must provide other documents. You can check this at [Right to work checks: an employer's guide - GOV.UK](#)

If you are not a British citizen, you must provide a share code to enable us to check your eligibility to work in the UK: [Prove your right to work to an employer: Get a share code online - GOV.UK](#)

13.4 HMRC tax check (where applicable)

If you currently hold a private hire or hackney carriage driver or operator licence in any other authority or have held one with this or any authority within the last 12 months, you must complete a tax check and provide the 9-character check code to us. Details on how to do this can be found here: [Complete a tax check for a taxi, private hire or scrap metal licence - GOV.UK](#)

The code will expire after 120 days.

If you do not hold a licence

We will not need a tax check if you:

- do not currently hold a private hire or hackney carriage driver or operator licence
- have not had a licence within the last 12 months in this or any other authority

We will require you to sign a declaration confirming that you do not have a licence.

Partnerships and limited companies

In the case of a partnership or limited company, the tax check or declaration will only be required for that partnership or company.

13.5 References

You will need to provide the names, email addresses and contact numbers of two referees.

They will need to provide information about your:

- character
- work history
- business knowledge
- trustworthiness

We will then contact them with a template request.

13.6 Additional documents required

You will need to provide:

- a [completed application form](#)
- proof of Public liability insurance (minimum £5m)

Book your appointment

Once you have all your documents ready and have completed all the pre-application criteria, please email us at licensing@solihull.gov.uk to book an appointment.

You will need to provide:

- your full name
- your date of birth
- your mobile number
- the reason for your appointment

We will not accept walk-ins so you must make an appointment.

14 At your appointment

What will happen at your appointment with the Licensing team.

14.1 Identity checks and logging your application

We will check all your documents for validity and use a range of online portals to confirm your details and identity.

Your personal details (name, address, date of birth etc.) on all your documents must match, and if there are any inconsistencies or queries, we may reject or pause your application and ask you further questions.

We will input your application onto our system and scan your documents to attach to your record.

14.2 Payment

You will be required to [pay an application fee](#).

We only accept payment by credit or debit card. We do not accept cash or cheques.

14.3 Enquiries with other licensing authorities

If you have ever held a hackney carriage or private hire licence with another authority, we will make data protection enquiries with them.

14.4 Interview with a licensing enforcement officer

Your application will be reviewed by an authorised officer, who will contact you to make an appointment for an interview.

You will be asked questions about the running of a private hire operator's business. We will also check your understanding of licensing:

- legislation
- conditions
- procedural requirements

14.5 Visit to your office premises

An authorised officer will also make an appointment with you to visit and inspect your office premises.

During the visit, they will assess if your premises meets, or is capable of meeting, licensing requirements. They will also consider whether conditions attached to any licence granted will be met.

15 Making a decision about your licence application

How we decide if your application for a private hire operator's licence is successful.

15.1 Granting the licence

If all enquiries are satisfactory and are in line with our current policy, you will be invited to [make payment](#) for your licence and to make an appointment to collect it.

You will also need to sign a declaration to confirm you will read and agree to your licence conditions.

Licences will be granted for five years unless there are exceptional reasons to grant for a shorter period. These reasons include (but are not limited to):

- immigration status
- outstanding queries about any other matter or concern

15.2 Information on the DBS certificate

If there is information on the DBS certificate that does not meet current policy criteria, you will be invited to discuss the matter with either:

- an authorised officer
- a panel of officers
- at a meeting of the licensing sub-committee

This will always be the final stage in the application process, to ensure all relevant issues are being considered.

In all cases, to help the decision maker, you may wish to provide a written personal statement and/or references. In your personal statement you should outline any explanation for your circumstances and illustrate what you feel makes you fit and proper to hold a licence.

Any personal, family or financial worries cannot be considered as the only matter we are concerned with is whether you are safe and suitable to hold a private hire operator's licence.

Who can review your application

15.2.1 Authorised officers

These are members of the team who will investigate any queries about your application and have delegated authority to issue warnings and advice about certain matters.

You will usually be invited to the office to discuss the matter, and the officer will then follow this up with written confirmation, via email.

15.2.2 Officer panel

This is where the investigating officer will make a referral about your case to a panel of two or more officers and you will be invited to speak with them to put forward any explanation and answer their questions.

You will be sent a copy of the report in advance.

15.2.3 Licensing Sub-Committee

This is a panel of three to five elected councillors who sit on a regular basis to hear or review applications, and you will be invited to the meeting to put forward any mitigation and answer their questions. You will be sent a copy of the report in advance.

Both the officer panel and the licensing sub-committee can grant or refuse your licence. Their decision will be sent to you via email within 14 days of the decision being made.

How to appeal

You have the right to appeal to Magistrates against the refusal of a licence application.

This must be done in writing within 21 days of you being notified of the decision.

16 Renewing your licence

Where possible, we will send you a reminder by email or text to renew your licence before it expires.

It is your responsibility to ensure you renew your private hire operator's licence before it expires.

We strongly advise you to allow plenty of time and book an appointment that falls at least four to six weeks before your licence expires.

If your licence has expired

We can only renew an expired licence in exceptional circumstances and if you have missed the renewal by a couple of days.

If you let your licence expire and make a request for a late renewal, we will ask you to provide evidence of your exceptional circumstances.

If we are not satisfied, we will not allow the renewal. In those circumstances, you would have to apply again as a [new applicant](#) and meet the criteria as laid out in section 1 above.

In the case of a partnership or limited company, each of the criteria is required for each partner or director, unless otherwise stated:

16.1 Basic DBS disclosure certificate

You must provide a basic Disclosure and Barring Service (DBS) certificate, dated within one month.

This is not required if you are:

- a Solihull licensed driver
- subscribed to the DBS update service

16.2 HMRC Tax check

You must complete a tax check and provide the 9-character check code to us.

Details on how to do this can be found here: [Complete a tax check for a taxi, private hire or scrap metal licence - GOV.UK](#)

The code will expire after 120 days.

16.3 Additional documents required

You will need to provide:

- a [completed application form](#)
- Proof of Public Liability Insurance (minimum £5m)
- a list of current drivers/vehicles partnered with the operator

Book an appointment

Once you have all your documents ready and have completed all the pre-application criteria, please email us at licensing@solihull.gov.uk to book an appointment.

Please provide:

- your full name
- your date of birth
- your mobile number
- the reason for your appointment in the email

We will not accept walk-ins so you must make an appointment.

17 At your renewal appointment

What will happen at your renewal appointment.

17.1 Identity checks and logging your application

We will check all your documents and use a range of online portals to confirm your details and identity. Your personal details (name, address, date of birth etc.) on all your documents must match, and if there are any inconsistencies or queries, we may reject or pause your application and ask you further questions.

We will input your application onto our system and scan your documents to attach to your record.

17.2 Payment

You will be required to [pay an application fee](#).

We only accept payment by credit or debit card. We do not accept cash or cheques.

17.3 Enquiries with other licensing authorities

If you have ever held a hackney carriage or private hire licence with another authority, we will make data protection enquiries with them.

18 Making a decision about your renewal

How we decide if your renewal application is successful.

18.1 Granting the licence

If all enquiries, checks and assessments are satisfactory and are in line with our current policy, you will be invited to [make payment](#) for your licence and to make an appointment to collect it.

You will also need to sign a declaration to confirm that you will read and agree to your licence conditions.

Licences will be granted for five years unless there are exceptional reasons to grant for a shorter period. These reasons include (but are not limited to):

- immigration status
- outstanding queries about any other matter or concern

18.2 Pausing the renewal process

If there are any outstanding issues at the time of your renewal, it may be paused while enquiries are made or investigations carried out.

These matters include, but are not limited to:

- unresolved complaints or service requests received by the licensing authority
- new information on the DBS certificate
- inconsistencies in information on your documentation
- outstanding data protection requests
- any information we are aware of that you have not disclosed

18.3 Information on the DBS certificate

If there is information on the DBS certificate that does not meet current policy criteria, you will be invited to discuss the matter with either:

- an authorised officer
- a panel of officers
- at a meeting of the licensing sub-committee

This will always be the final stage in the application process, to ensure all relevant issues are being considered.

In all cases, to help the decision maker, you may wish to provide a written personal statement and/or references. In your personal statement you should outline any explanation for your circumstances and illustrate what you feel makes you fit and proper to hold a licence.

Any personal, family or financial worries cannot be considered as the only matter we are concerned with is whether you are safe and suitable to hold a private hire operator's licence.

Who can review your application

18.2.1 Authorised officers

These are members of the team who will investigate any queries about your application and have delegated authority to issue warnings and advice regarding certain matters.

You will usually be invited to the office to discuss the matter, and the officer will then follow this up with written confirmation, via email.

18.2.2 Officer panel

This is where the investigating officer will make a referral about your case to a panel of two or more officers and you will be invited to speak with them to put forward any mitigation and answer their questions.

You will be sent a copy of the report in advance.

18.2.3 Licensing Sub-Committee

This is a panel of 3-5 elected councillors who sit on a regular basis to hear or review applications, and you will be invited to the meeting to put forward any mitigation and answer their questions. You will be sent a copy of the report in advance.

Both the officer panel and the licensing sub-committee can grant or refuse your licence. Their decision will be sent to you via email within 14 days of the decision being made.

How to appeal

You have the right to appeal to Magistrates against the refusal of a licence application.

This must be done in writing within 21 days of you being notified of the decision.

19. Throughout the life of a licence

19.1. Notifications

Your private hire operator conditions tell when you need to inform us about changes to your licence.

This could include changes to:

- your personal or business details
- your circumstances
- partners or directors

These notifications must be made by email to licensing@solihull.gov.uk

19.2. Complaints/investigations

If we receive a complaint, query or any other intelligence about you we will investigate it and will contact you.

We will apply our policy guidelines and treat every case on its own merits and will keep you updated with any possible sanctions against you.

19.3. Surrendering the licence

If you wish to surrender your licence, you will need to return it to the licensing office as soon as possible.

To book an appointment, please email licensing@solihull.gov.uk.

You may be entitled to a refund on any remaining months left on the licence following the deduction of any administrative costs.

19.4. Immigration status

If your immigration status changes and there is any change to your residency or right to work, you must inform us at licensing@solihull.gov.uk.

This must be done immediately so that we can make further enquiries with the Home Office.

19.5. Selling the business

It is not possible to transfer a private hire operator's licence.

If you wish to sell the business, you should inform us via email at licensing@solihull.gov.uk before the sale takes place.

The new operator will need to make a [new application](#) for a licence, following the steps above.

19.6. Inspections

Authorised officers may make both scheduled and unannounced inspections at the premises, where they will assess your level of compliance with the licence conditions.

If there are any areas of concern, these will be discussed with you and further action may be taken, which could include, but is not limited to:

- a written warning
- a reinspection
- a referral to officer panel
- a referral to Licensing Sub-Committee
- licence suspension
- licence revocation

ANNEX A - SOLIHULL COUNCIL GUIDANCE FOR DETERMINING THE SUITABILITY OF APPLICANTS AND LICENCE HOLDERS IN THE HACKNEY CARRIAGE AND PRIVATE HIRE TRADES

1. Purpose

- 1.1 Licensing issues are dealt with by both Councillors of the appropriate Committee, and SMBC authorised officers, acting in the capacity of the Licensing Authority.
- 1.2 Taxis (Hackney Carriages) and Private Hire Vehicles (PHV) are used by almost everyone in our society occasionally, but they are used regularly by particularly vulnerable groups, including children; the elderly; disabled people; and the intoxicated. A taxi driver has significant power over a passenger who places themselves, and their personal safety, completely in the driver's hands. The licensing authority's duty is to ensure that the public are protected. A member of the public stepping into a motor vehicle driven by a stranger must be able to trust the driver. Are they honest? Are they competent? Are they safe? Are they trustworthy?
- 1.3 Case law makes it clear that the impact of losing (or not being granted) a licence on the applicant and his or her family is not a consideration to be taken into account. The paramount responsibility of a licensing authority is to protect the public, not provide employment opportunities. This policy will ensure a consistent approach with regards to the way in which applicants and licence holders can expect to be treated.
- 1.4 In all cases, the licensing authority will consider the conviction or behaviour in question and what weight should be attached to it, and each and every case will be determined on its own merits, and in light of these guidelines. The licensing authority can depart from the policy where it considers it appropriate to do so. This will normally happen where the licensing authority considers that there are extenuating circumstances which warrant a different decision based on the list below paragraph 2.1 below. A caution will usually be regarded in exactly the same way as a conviction. This is because a caution can only be imposed following an admission of guilt, which is equivalent to a guilty plea on prosecution.

- 1.5 Any decision to suspend, revoke, refuse to grant or renew a licence will be applied to an applicant/licence holder who is considered not to be a 'fit and proper' person to drive or operate. The test to be applied is to ask, "Would I allow my son or daughter, spouse or partner, mother or father, grandson or granddaughter or any other person for whom I care, to get into a vehicle with this person alone?" If the answer is no then the licence should be refused.
- 1.6 The Department for Transport elaborates further and poses the question: "Without any prejudice, and based on the information before you, would you allow a person for whom you care, regardless of their condition, to travel alone in a vehicle driven by this person at any time of day or night?" If, on the balance of probabilities, the answer to the question is 'no', the individual should not hold a licence." If a licence holder falls short of the fit and proper standard at any time, the licence should be revoked or not renewed on application.

2. Local Government (Miscellaneous Provisions) Act 1976

- 2.1 The licensing authority is required to ensure that an applicant for the grant or renewal of any licensed driver's and/or private hire vehicle or operator's licence is a 'fit and proper' person to hold such a licence. If an applicant has any convictions, warnings, cautions or charges awaiting trial or complaints against them, the licensing authority will look into the following where applicable:

- 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/Caution etc
- Circumstances of the conviction/caution/warning
- Sentence imposed by the court
- The applicant's age at the time of conviction/Caution etc.
- Whether they form part of a pattern of offending
- Any other character check considered reasonable (e.g. personal references)
- The person's willingness or proven ability to demonstrate their rehabilitation. This might include appropriate training, support, work experience (paid or otherwise) and general attitude to society and community
- Evidence of remorse (this may be established by a face to face interview with an authorised officer, for example)
- Any other factors that might be relevant and appropriate
- Previous licensed record (if applicable) as well as records held by the operator
- Attitude, temperament and conduct.

- 2.2 In determining whether a person is fit and proper, the licensing authority is entitled to take into account all matters concerning that applicant or licence holder. This consideration is far wider than simply criminal convictions or other evidence of unacceptable behaviour and the entire character of the individual will be considered. It is important to recognise that licensing authority is not imposing any additional punishment in relation to previous convictions or behaviour. It is using all the information that is available to make an informed decision as to whether or not the applicant or license holder is or remains fit and proper.
- 2.3 Sections 60-62 of the Local Government (Miscellaneous Provisions) Act 1976 allows the licensing authority to suspend, revoke or refuse to renew a vehicle, driver and operator's licence for failure by the licence holder to comply with the provisions under that act or of the Town Police Clauses Act 1847, following a dishonest/indecency/violence conviction or any other reasonable cause.

3. The Rehabilitation of Offenders Act 1974 (Exceptions) (Amendment) Order 2002

- 3.1 This allows the licensing authority to take into account all convictions recorded against an applicant or the holder of a private hire vehicle or hackney carriage driver's licence, whether spent or not. Having regard to an individual's previous behaviour and their potential to re-offend will play a significant part when making a decision to grant or renew a licence.
- 3.2 In this policy the term "disqualification" refers to the period served, in order to take account of the fact that a court may reduce the period of disqualification from driving. An applicant must provide evidence in advance to prove that the court agreed a reduction in the period of disqualification.
- 3.3 In appropriate circumstances a suspension, refusal to renew or revocation may be abated by the licence holder demonstrating to the satisfaction of the Licensing Authority that they have successfully completed appropriate training which should be evidenced in writing.
- 3.4 In the case of any new applicant who has been charged with any offence and is awaiting trial, the determination will normally be deferred until the trial has been completed or the charges withdrawn. Where an existing licence holder is

charged, it will be for the licensing authority to decide what action to take in the light of this policy.

- 3.5 Any offences committed, or unacceptable behaviour reported whilst driving as a licensed driver or private hire vehicle, or in connection with an operator, will be viewed as aggravating features and the fact that any other offences were not connected with the hackney carriage and private hire trades will not be seen as mitigating factors.
- 3.6 Any dishonesty by any applicant or other person on the applicant's behalf, which is discovered to have occurred in any part of the application process (e.g. failure to declare convictions, false names or addresses, falsified references or failure to disclose in full information requested by the licensing authority) will normally result in a licence being refused, or if already granted, revoked and may result in prosecution.
- 3.7 One common misunderstanding is that if the offence was not committed when the driver was driving a taxi/PHV, it is much less serious. This is not the case; any driving offences are relevant as they put the general public at risk.

4. Private Hire Operators

- 4.1 A private hire operator does not have direct responsibility for the safety of passengers, other road users or direct contact with passengers who are in the private hire vehicle (except where they are also licensed as a private hire driver). However, in performing their duties they obtain and hold considerable amounts of personal and private information about their passengers which must be treated in confidence and not revealed to others, or used by the operator or their staff for criminal or other unacceptable purposes.
- 4.2 The general test of fitness and propriety for private hire operators is "would I be comfortable providing sensitive information such as holiday plans, movements of my family or other information to this person, and feel safe in the knowledge that such information will not be used or passed on for criminal or unacceptable purposes?"
- 4.3 As public trust and confidence in the overall safety and integrity of the private hire system is vital, the same standards will be applied to operators as those

applied to drivers as regards fit and proper, apart from any driving convictions the authority is aware of.

5. Vehicle Proprietors

- 5.1 Vehicle proprietors must ensure that the vehicle is maintained to an acceptable standard at all times and they must ensure that the vehicle is not used for illegal or illicit purposes.
- 5.2 Vehicle proprietors that have information on their DBS certificate that is not in line with this guidance will be subject to the same standards as those applied to drivers regarding their fitness and propriety.

6. Relevant Convictions, Cautions/ Fixed Penalties /Community / Resolutions /Offence(s) and all relevant information received.

6.1 New Applicants

- 6.1.1 A conviction/caution or relevant information relating to the alleged committing of an offence falling within any of the categories outlined later in this document will result in any new applicant being referred to authorised officers to determine their application.

6.2 Existing Licence Holders

- 6.2.1 A conviction/caution or relevant information relating to the alleged committing of an offence falling within any of the categories below will result in any existing licensed driver/operator being referred to authorised officers to determine a course of action.
- 6.2.2 In cases where it is in the interests of public safety, an authorised officer or appropriate committee may suspend or revoke a driver's licence with immediate effect following a review. In such cases, the licence holder will be afforded a reasonable opportunity to offer an explanation/mitigation, but if that opportunity is not taken up within a specified period of time determined by the allegations made, appropriate action may be taken without that explanation/mitigation.

- 6.2.3 In all cases, a statement that this is so and an explanation will be given as to why it is in the interests of public safety to suspend or revoke immediately and the suspension/revocation takes effect when the notice is served on the driver.

7. Reviewing/Overtaking decisions

- 7.1 When necessary and appropriate, the licensing authority reserves the right to review and overturn a decision that has previously been made or refuse a renewal of a licence. In addition, the licensing authority will undertake periodic auditing of currently licensed drivers / vehicle proprietors. Such audits will be conducted using this policy as the required standard.

8. Implementing changes to licensing policy and requirements

- 8.1 It is important to remember that any changes in licensing requirements should be followed by a review of the licences already issued. If the need to change licensing requirements has been identified, this same need is applicable to those already in possession of a licence. That is not however to suggest that licences will be automatically revoked overnight, for example if a vehicle specification is changed it is proportionate to allow those that would not meet the criteria to have the opportunity to adapt or change their vehicle. The same pragmatic approach will be taken to driver licence changes - if requirements are changed to include a training course or qualification, a reasonable time will be allowed for this to be undertaken or gained.
- 8.2 Where a more subjective change has been introduced, the licensing authority will still consider each case on its own merits. Where there are extenuating and compelling reasons to deviate from the policy, the licensing authority may do so. The licensing authority will record the reasons for any deviation from the policy.
- 8.3 Where updates to legislation, statutory or best practice guidance take place, the licensing authority intends to make amendments to the policy where appropriate. Unless the changes are considered major changes, the licensing authority will not normally undertake a full consultation exercise.

9. Complaints

- 9.1 A complaint relating to the conduct of an operator, driver or vehicle proprietor, may, depending on the severity of the allegations, result in a written warning, suspension or revocation of the licence. Complaints can be submitted to the licensing authority and details are available on the Council's website. Consideration will be given to evidence provided by both parties and this may also include patterns of poor behaviour, and/or where numerous complaints have been received by the licensing authority and/or Operator.

10. Previous Conduct

- 10.1 Where an applicant who has previously held a licence at this or any other authority or, on review of an existing licence and relevant convictions, has previously been considered by the licensing authority then any decision on a new application or on review can be made by either an authorised officer or appropriate Committee. The authorised officer or Committee will consider any relevant convictions or behaviour that have arisen since any previous application or review. There will be occasions when previously considered convictions or behaviour will be of value and can be referred to in order to indicate a pattern of behaviour which may result in them again being considered in decision making particularly if the conviction(s) or behaviour is/are of a similar nature to those that have arisen since any previous application or review. Patterns of repeated unacceptable behaviour are likely to cause greater concern. This will be treated particularly seriously if the applicant or licence holder's conduct towards licensing authority staff falls below the standards expected.
- 10.2 An applicant or licence holder whose application/licence is subject to an appearance before the appropriate Committee will be advised in writing /telephone and/or by email of the date and time of the meeting. He or she has the right to appear in person at the hearing to give verbal or written information in support of the application/licence and to be represented if required. If the applicant or licence holder fails to attend the review hearing without reasonable excuse, the determination or review will normally proceed in his or her absence. At the hearing, the authorised officers will produce a report which will include recommendations to the appropriate Committee.
- 10.3 In all cases involving suspension, revocation and refusal to grant or renew the applicant or licence holder, there is a right to appeal against the decision of the appropriate Committee or the employees through the Magistrates Court within 21 days beginning with the day on which the decision notice is deemed to have

been received by the applicant or licence holder. The decision notice will give reasons for the suspension/revocation or refusal to renew/grant the licence and will also outline the appeal rights.

- 10.4 For the avoidance of doubt where a person is sentenced to a period of imprisonment or detention at a Young Offenders Institution reference to expiry of sentence shall be deemed to mean expiry of the actual term imposed and not any earlier release date.
- 10.5 Decisions will normally be made in accordance with these guidelines; however each case will be considered on its merits. Regard will be had to, where applicable to the bullet points in paragraph 2.1 above.
- 10.6 Dependent on the facts and where deemed appropriate an authorised officer may make a decision contrary to that suggested by the policy or where appropriate refer a matter to the appropriate Committee for decision. In these circumstances, reasons will be given and recorded.
- 10.7 Offences listed in the tables below show examples of the type of offence in a particular category. The lists are not exhaustive and offences outside of these examples may be considered by authorised officers or the appropriate Committee.

11. Other Testing

- 11.1 Hackney carriage and private hire vehicle drivers should be able to communicate satisfactorily in English (both orally and in writing) in order to be considered a fit and proper person to hold a licence. Not being able to communicate in English to a satisfactory level may result in the suspension, revocation of or refusal to renew an existing licence or the refusal to grant a new one. A suitable assessment on communication is part of the application process.
- 11.2 In order for an applicant or licence holder to be considered a fit and proper person to hold a licence their standard of driving should be at a satisfactory level which will be determined by a driving assessment for new applicants and existing licence holders where appropriate. This level is to be determined by the licensing authority and in appropriate cases further driver training assessment may be deemed necessary. Evidence of driving ability which is below the satisfactory level required may result in the refusal to grant or renew a licence, or the suspension or revocation of an existing licence.

- 11.3 Applicants or licence holders may be required to undertake medical testing and/or drug testing at the request of the Council at their own expense and this may be required at short notice.
- 11.4 Applicants for the grant or renewal of a driver's licence will have to undergo an enhanced DBS check, which will also include a check of the barred lists. In the interest of public safety, a licence will not normally be issued to an individual on any of the barred lists. The licensing authority may require drivers to subscribe to the DBS update service which enables a check to be made on the status of a DBS certificate at any time. Checks may be made periodically throughout the duration of the licence. These checks may include police checks.

12. Training

- 12.1 Those within the industry can be an asset in the detection and prevention of abuse or neglect of children and vulnerable adults, so all applicants, drivers and operators will be required to undertake safeguarding training. This training will also include other forms of safeguarding understanding such as wider exploitation including child sexual exploitation, human trafficking and criminal exploitation including 'county lines' drug trafficking whereby vulnerable people, often children, are exploited by gangs to move and store drugs and money across the country. This training also needs to be centred around 'contextual safeguarding' wherein drivers and operators understand the context of how children and young people can be harmed and abused by the people they meet and at places they are taken to.
- 12.2 Applicants, drivers and operators may be requested to undergo other forms of training such as disability awareness training, and may also be required to undertake refresher training in certain subjects or circumstances.

13. Determination of Action to be Taken

- 13.1 In determining the course of action to be taken in connection with an application for or the review of any driver's or operator's licence, the following sanctions will be applied as a guide. In all cases the stated period for suspension, revocation or refusal refers to the period free of conviction, not including any custodial sentence imposed.

13.2	Minor Traffic Offences
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The Licensing Authority takes driving offences very seriously, particularly when the applicant displays a pattern of offences.

A minor traffic or vehicle related offence is generally one which does not involve loss of life, driving under the influence of drink or drugs, driving whilst using a mobile device, and has not resulted in injury to any person or damage to any property (including vehicles). This is not an exhaustive list, and may be subject to change, and there may be circumstances where an offence listed here is considered to be a major offence and will be treated accordingly.

Construction and use offences	
CU10	Using a vehicle with defective brakes
CU20	Causing or likely to cause danger by reason of use of unsuitable vehicle or using a vehicle with parts or accessories (excluding brakes, steering or tyres) in a dangerous condition
CU30	Using a vehicle with defective tyre(s)
CU40	Using a vehicle with defective steering
CU50	Causing or likely to cause danger by reason of load or passengers
Insurance offences	
IN10	Using a vehicle uninsured against third party risks
Licence offences	
LC20	Driving otherwise than in accordance with a licence
LC30	Driving after making a false declaration about fitness when applying for a licence
LC40	Driving a vehicle having failed to notify a disability
LC50	Driving after a licence has been cancelled (revoked) or refused on medical grounds
Miscellaneous offences	

MS10	Leaving a vehicle in a dangerous position
MS20	Unlawful pillion riding
MS30	Play street offences
MS60	Offences not covered by other codes (including offences relating to breach of requirements as to control of vehicle)
MS70	Driving with uncorrected defective eyesight
MS80	Refusing to submit to an eyesight test
MS90	Failure to give informative as to identify of driver etc
Motorway offences	
MW10	Contravention of special roads regulations (exceeding speed limits)
Pedestrian crossings	
PC10	Undefined contravention of pedestrian crossing regulations
PC20	Contravention of pedestrian crossing regulations with moving vehicle
PC30	Contravention of pedestrian crossing regulations with stationary vehicle
Speed limits	
SP10	Exceeding goods vehicle speed limits
SP20	Exceeding speed limit for type of vehicle (excluding goods or passenger vehicles)
SP30	Exceeding statutory speed limit on a public road
SP40	Exceeding passenger vehicle speed limit
SP50	Exceeding speed limit on a motorway
Traffic directions and signs	
TS10	Failing to comply with traffic light signals
TS20	Failing to comply with double white lines
TS30	Failing to comply with 'stop' sign

TS40	Failing to comply with direction of a constable/warden
TS50	Failing to comply with traffic sign (excluding 'stop' signs, traffic lights or double white lines)
TS60	Failing to comply with a school crossing patrol sign
TS70	Undefined failure to comply with a traffic direction sign

Where an applicant or licence holder been convicted, has points on their DVLA licence or has been issued a FPN for minor traffic or similar offences, the following sanctions will be enforced:

0-3 points	written warning to be kept on file
4-8 points	written warning and/or relevant educational rehabilitation course approved by officers (at driver's expense)
9-11 points	Fit and proper decision – potential suspension for specified period (3 – 12 months) to be determined by the concerns/severity/history and in line with policy guidance.
12 points -	revocation or refusal to renew

13.3	"Totting Up" – Section 35 Road Traffic Offenders Act 1988
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If the total number of penalty points reaches 12 or more within 3 years the driver is liable to be disqualified from driving under the "Totting Up" procedure.

(a) A new licence will not normally be granted for 7 years following the expiration of the disqualification period or if not disqualified 7 years from the date of the conviction, caution or in the absence of these the date of the offence or relevant incident and a road risk assessment may have to be satisfactorily completed prior to a licence being granted. An existing licence will normally be revoked.

(b) *Repeat totting up offences* – will normally revoke or refuse to renew. A new licence will not normally be granted.

13.4	Major Traffic Offences (Other than drink driving and drug offences)
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A major traffic offence is a road traffic offence (other than for touting and drink driving) that can result in four or more penalty points and/or a period of disqualification and/or imprisonment.

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

Accident offences	
AC10	Failing to stop after an accident
AC20	Failing to give particulars or report an accident within 24 hours
AC30	Undefined accident offences
Disqualified driver	
BA10	Driving while disqualified by order of court
BA30	Attempting to drive while disqualified by order of court
BA40	Causing death by driving while disqualified
BA60	Causing serious injury by driving while disqualified
Careless driving	
CD10	Driving without due care and attention
CD20	Driving without reasonable consideration for other road users
CD30	Driving without due care and attention or without reasonable consideration for other road users
CD40	Causing death through careless driving when unfit through drink
CD50	Causing death by careless driving when unfit through drugs

CD60	Causing death by careless driving with alcohol level above the limit
CD70	Causing death by careless driving then failing to supply a specimen for alcohol analysis
CD80	Causing death by careless, or inconsiderate, driving
CD90	Causing death by driving: unlicensed, disqualified or uninsured drivers
Construction and use offences	
CU80	Breach of requirements as to control of the vehicle, such as using a mobile phone
Reckless/ Dangerous driving	
DD10	Causing serious injury by dangerous driving
DD40	Dangerous driving
DD60	Manslaughter or culpable homicide while driving a vehicle
DD80	Causing death by dangerous driving
DD90	Furious driving
Drink	
DR10	Driving or attempting to drive with alcohol level above limit
DR20	Driving or attempting to drive while unfit through drink
DR30	Driving or attempting to drive then failing to supply a specimen for analysis
DR31	Driving or attempting to drive then refusing to give permission for analysis of a blood sample that was taken without consent due to incapacity
DR61	Refusing to give permission for analysis of a blood sample that was taken without consent due to incapacity in circumstances other than driving or attempting to drive

DR40	In charge of a vehicle while alcohol level above limit
DR50	In charge of a vehicle while unfit through drinking
DR60	Failure to provide a specimen for analysis in circumstances other than driving or attempting to drive
DR70	Failing to provide specimen for breath test
Drugs	
DG10	Driving or attempting to drive with drug level above the specified limit
DG60	Causing death by careless driving with drug level above the limit
DR80	Driving or attempting to drive when unfit through drugs
DG40	In charge of a vehicle while drug level above specified limit
DR90	In charge of a vehicle when unfit through drugs
Theft or unauthorised taking	
UT50	Aggravated taking of a vehicle
Mutual recognition' codes	
MR09	Reckless or dangerous driving (whether or not resulting in death, injury or serious risk)
MR19	Wilful failure to carry out the obligation places on driver after being involved in a road accident (hit or run)
MR29	Driving a vehicle while under the influence of alcohol or other substance affecting or diminishing the mental and physical abilities of a driver
MR39	Driving a vehicle faster than the permitted speed
MR49	Driving a vehicle whilst disqualified

MR59

Other conduct constituting an offence for a which a driving disqualification has been imposed by the State of Offence

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

13.5 Drink Driving Offences and Driving under the Influence of Drugs

Any drink driving or drug related driving offence is treated very seriously by the licensing authority. An offence of this nature is highly relevant to the individual's role as a hackney carriage or private hire driver.

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

13.6 Anti-Social Behaviour and Public Order Offences

Drivers of hackney carriages and private hire vehicles should display a measured and calming manner in the face of provocation and difficult situations.

- (a) *First offence* – will normally suspend for up to 12 months or refuse to renew. A new licence will not normally be granted for 12 months following the date of conviction, caution or in the absence of these the date of the last offence or relevant incident.

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

13.7	Drug Related Offences
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Possession of illegal drugs or other drug related offences (excluding the dealing, manufacture or supply of drugs, for which there is a separate guideline at 13.8), the applicant will normally be required to satisfy the licensing authority that they are free of addiction subject to a licence being granted.

- (a) *First offence* – will normally revoke or refuse to renew. A new licence will not normally be granted for 5 years following the date of conviction, caution, expiry of a prison sentence or in the absence of these the date of the last offence or relevant incident. In these circumstances, any applicant will have to undergo drugs testing at their own expense to demonstrate that they are not using controlled drugs.
- (b) *Repeat offences* – will normally revoke or refuse to renew. A new licence will not normally be granted for 7 years following the date of conviction, caution, expiry of a prison sentence or in the absence of these the date of the last offence or relevant incident. In these circumstances, any applicant will have to undergo drugs testing at their own expense to demonstrate that they are not using controlled drugs.

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

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

- (b) *Repeat offences* – will normally revoke or refuse to renew. A new licence will not normally be granted.

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

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

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

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

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

The licensing authority seeks to minimise risks associated with these persons and for that reason a more serious view will be taken where sexual offences occur.

Decisions relating to the determination of an application or review of an existing licence will be informed by discussions with the Police and/ or Solihull's Adult's and Children's Safeguarding Services.

The licensing authority will not normally grant a licence to any applicant who is currently on the Sex Offenders Register or on any 'barred' list.

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

13.11	Dishonesty
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All applicants and licence holders are expected to be persons of trust. For these reasons a serious view is taken of any offences involving dishonesty. As per 13.19, dishonesty by any applicant as part of the application process (failure to disclose convictions, false names or addresses or falsified references) will normally result in a licence being refused or if a licence has been granted it will normally be suspended or revoked and may result in prosecution.

For the purpose of this policy the following are examples of offences involving 'Dishonesty':

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

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

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

13.12	Obstruction of Police Officer/Authorised Officer (to include failure to surrender to bail)
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(a) *First offence* – will normally suspend for up to 12 months or refuse to renew. A new licence will not normally be granted for 12 months following the date of conviction, caution, expiry of a prison sentence or in the absence of these the date of the last offence or relevant incident.

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

13.13	Violence
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For the purpose of this policy the following are examples of ‘violent offences’:

- Battery
- Common assault.
- Affray.
- S5 Public Order Act 1986 offence or distress/harassment, alarm.
- S4 Public Order Act 1986 (fear of provocation of violence).
- S4A Public Order Act 1986 (intentional harassment, alarm or distress).
- Possession of offensive weapon.
- Criminal damage.
- Other violent offences.

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

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

For the purpose of this policy repeat offences can also include a situation where an applicant or licence holder has a conviction/caution or there is other information which relates to one incident of violence together with one incident of serious violence defined under guidelines 13.13 and 13.14.

13.14	Violence (Serious)
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For the purpose of this policy the following are examples of 'serious violent offences':

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

For the purpose of this policy repeat offences can also include a situation where an applicant or licence holder has a conviction/caution or there is other information which relates to one incident of violence together with one incident of serious violence defined under guidelines 13.13 and 13.14.

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

- Murder
- Manslaughter
- Manslaughter or culpable homicide while driving
- Attempted murder
- Corporate manslaughter
- Causing Death By Dangerous Driving

This is not an exhaustive list.

Any offence(s)/conviction(s) / cautions of a nature resulting in loss of life or intent to cause loss of life will normally result in revocation or refusal to renew. Where a new applicant has been convicted of a crime which resulted in the death of another person or was intended to cause death or serious injury they will not normally be licensed.

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

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

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

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

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

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

(b) *Repeat offences* – will normally revoke or refuse to renew. A new licence will not normally be granted.

13.18	Plying for Hire including 'touting', using/operating private hire vehicles without a licence
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Convictions for plying for hire and related no insurance offences show that a driver is unable to work within the legal restrictions of a private hire/hackney carriage driver's licence. Complaints about plying for hire will also be taken into consideration. Offences of this nature generally result in passengers being uninsured during the journey. Touting is generally deemed to be as serious and will be treated as such.

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

(b) *Repeat offences* – will normally revoke or refuse to renew the private hire or hackney carriage driver's licence. A new licence will not normally be granted for 5 years following the date of conviction, caution or in the absence of these the date of the last offence or relevant incident.

13.19	Non-Disclosure/Late Disclosure of a Conviction/Caution/Fixed Penalty
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Declarations of criminal and motoring convictions, cautions and fixed penalties are vitally important in order for the Local Authority to review the suitability of licence holders. Failure to declare any of the above can result in unsuitable drivers holding a licence.

- (a) *First offence* – will normally receive a written warning to be kept on file or suspend for up to 1 month or refuse to renew. A new licence will not normally be granted for 1 month from the date of revocation or refusal to renew.

In some circumstances, this may be abated by completion of a targeted enhanced training course relevant to the breach and will be subject to the driver's/proprietor's own expense.

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

This section refers to failure to disclose only, if the offence falls elsewhere in the guidelines and carries a higher 'penalty' then it is likely that a higher penalty will be imposed.

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

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

In some circumstances, this may be abated by completion of a targeted enhanced training course relevant to the breach and will be subject to the driver's/proprietor's own expense.

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

13.21	Any other relevant offences under the Local Government (Miscellaneous Provisions) Act 1976, Town Police Clauses Act 1847)
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- (a) *First offence* – will normally suspend for up to for 6 months or refuse to renew. A new licence will not normally be granted for 12 months following the date of conviction, caution or in the absence of these the date of the last offence or relevant incident.
- (b) *Repeat offences* – will normally revoke or refuse to renew. A new licence will not normally be granted for 5 years following the date of conviction, caution or in the absence of these the date of the last offence or relevant incident.

13.22	Investigation of Serious Offences (involving violence, sexual offences, child sexual exploitation, safeguarding etc.)
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Where information is received in relation to an existing licence holder or a new applicant from the Police or other enforcement bodies that an individual(s) are under investigation or have been under investigation for a matter that relates to any of the offences outlined in sections 13.2 – 13.30, the licensing authority may consider the information provided and take action in relation to the information provided. This may mean a licence is suspended, revoked, a renewal of a licence or a new licence is refused. The power to suspend or revoke immediately as set out in section 6.2.2 may also be used in these circumstances if it is in the interests of public safety. Where an individual 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 normally be licensed. This includes slavery, child sexual abuse, exploitation, grooming, psychological, emotional or financial abuse, but this is not an exhaustive list.

There is a general duty on the operator or licence holder to disclose any arrest or involvement in any investigation (criminal, motoring or civil) within 7 days of becoming aware of them. Failure to disclose may lead to revocation of a licence.

13.23	Breach of Requirements as to Control of the Vehicle, such as using a handheld mobile device etc.
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This type of offence is treated very seriously as it increases the likelihood of an accident.

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

13.24	Health Act 2006
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A hackney carriage or private hire licence is a badge of approval, it states the licensing authority feels the holder is fit and proper and suitable in every way. The standard of behaviour and level of trust expected should be demonstrated in the conduct of those licensed at all times.

Drivers must not smoke in a licensed vehicle. Any offence under this Act can risk the health of both the driver and passengers.

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

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

demonstrated in the conduct of those licensed at all times. This includes when drivers are operating outside of Solihull, where drivers are expected to co-operate with reasonable requests from compliance staff authorised in other areas.

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

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

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

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

13.26	Driving Standards
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Applicants/drivers of hackney carriage and/or private hire driver's licences must satisfy the licensing authority they are able to drive at a standard that meets the National Standard of driving.

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

- (a) *First instance* – will normally suspend until outcome of occupational competence/road risk assessment. A new licence will not normally be granted for 6 months following the outcome of any review hearing in relation to any incident relating to driving standards.

- (b) *Repeat instances* – will normally revoke or refuse to renew. A new licence will not normally be granted for 3 years following the outcome of any review hearing in relation to any incidents relating to driving standards.

13.27	Equality Act 2010 - Breach of Licence Conditions / <i>Bylaws</i>
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Under the Equality Act 2010, it is an offence for any driver or operator to refuse to carry an assistance dog or to charge more for the fare or booking. The Council medical exemption certificate issued in accordance with Equality Act 2010 must be displayed at all times to the windscreen of the Private Hire or Hackney Carriage Vehicle, facing outwards. Private Hire Vehicle Drivers have a responsibility to ensure that their operator is aware of such medical condition when they first undertake work for them.. Offences under this Act are deemed serious and therefore shall normally result in revocation.

- (a) First instance - A new licence will not normally be granted for 7 years following the date of conviction, caution or in the absence of these the date of offence or relevant incident or the outcome of any review hearing in relation to the incident, whichever is the later. The power to suspend or revoke immediately as set out in 6.2.2 may also be used in these circumstances if it is in the interests of public safety.

- (b) Repeat offences - will normally revoke or refuse to renew. A new licence will not normally be granted.

13.28	Environmental Crime Legislation, Health & Safety Legislation, Food Safety Offences and Licensing Act offences etc.
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A hackney carriage or private hire licence is a badge of approval, it states the Local Authority feels the holder is fit and proper and suitable in every way. The standard of behaviour and level of trust expected should be demonstrated in the conduct of those licensed at all times.

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

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

13.29	Physical Fitness and Medical Conditions
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Applicants for hackney carriage and/or private hire drivers licences must satisfy the medical fitness standards issued by the Driver and Vehicle Licensing Agency (DVLA). The agreed standard is the Group 2 Standard for vocational drivers.

(a) In the case of an application to renew a licence, if the applicant to meet the required medical standard the licence will normally be refused. A new licence will not normally be granted until the applicant can meet the required medical standard, or for any period advised by a GP or registered medical practitioner.

(b) In the case of existing licence holders, if a person has a medical condition which falls below the standard outlined in the Group 2 Standard of the published medical standards, the licence may be suspended, revoked, or the renewal of a licence refused, dependent on the nature of the condition along with any recuperation or rehabilitation periods.

(c) A licence can also be suspended, revoked or a renewal refused if an existing licence holder fails to produce a medical certificate at the required intervals in line with the Group 2 Standard.

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

In the case of a new application or an application to renew a licence if the applicant fails to provide satisfactory documentary evidence from the Home Office of a legal right to work in the UK as a Hackney Carriage and or/Private Hire Vehicle driver and failure to do so will result in refusal of any application.

Failure by an existing licence holder to provide satisfactory documentary evidence from the Home Office of a legal right to work in the UK as a Hackney Carriage and or/Private Hire Vehicle driver will result in revocation.

14. Delegations

- 14.1 Under the Council’s Constitution the appropriate Committee has the authority, amongst other licensing matters, to discharge non-executive regulatory functions with respect to Hackney Carriage and Private Hire licensing. To facilitate the effective discharge of the functions, less contentious matters are delegated to appropriately authorised council officers. This approach ensures the appropriate level of separation between decision makers and those that investigate complaints against licence holders. Clear separation between the investigator and decision maker demonstrates independence and ensures that senior authorised officers can attempt to resolve disputes in relation to service actions without the perception that involvement will affect the judgement in relation to decisions made at a later date.
- 14.2 Arrangements for dealing with serious matters that may require the immediate revocation of a licence will be designated to a senior officer/manager with responsibility for Licensing.

15.0 Table of Offences

Offence	Penalty/Action	Outcome	Decision Maker	
Minor Offences				
13.2 Minor Traffic Offence				
	Single Offences	0-3 points	Warning	Authorised Officer
	Repeat Offences	4-8 points	Written warning and/or Relevant educational rehabilitation course (at own expense)	Authorised Officer/Officer panel
		9-11 points	Fit and Proper – Committee - Suspension for specified period (3-12 mths) to be determined by the concerns/severity	Committee
	12 points	Revocation or refusal to renew New Licence – Refuse for 5 years	Committee	

		Renewal or existing driver– Refuse or Revoke for 5 years	
13.3 Totting Up			
If a number of penalty points reaches 12 or more within 3 years the driver is liable to be disqualified from driving under the “totting up” procedure	1 st offence	New, renewal or existing – Refuse for 7 years	Officer Panel
	Repeat offences	Revoke for 7 years	Committee
Major Offences			
All major offences should be notified to an Authorised Officer immediately, this may be reported to Managers and may lead to immediate revocation of licence			
13.4 Major Traffic Offences (other than drink driving and drug offences) *please note this not an exhaustive list:			
<ul style="list-style-type: none"> • Failing to stop after an accident • Failing to give particulars or to report an accident within 24 hours • Undefined accident offences • Driving whilst disqualified by order of Court • Attempting to drive whilst disqualified by order of Court • Driving without due care and attention • Dangerous driving • Using a vehicle uninsured against third party risks • Driving otherwise than in accordance with a licence • Driving after making a false declaration about fitness when applying for a licence • Driving a vehicle having failed to notify a disability • Driving a licence has been revoked or 	1 st offence	New – Refuse for 7 years Renewal or existing – refuse or Revoke for 7 years	Officer Panel
	Repeat Offences	New – Refuse for 12 years Renewal or existing – refuse or Revoke for 12 years	Committee

<p>refused on medical grounds</p> <ul style="list-style-type: none"> • Motor racing on the highway • Offences not covered by other codes • Failure to give information as to identity of driver, etc. • Aggravated taking of a vehicle 			
<p>13.5 Drink Driving/Driving under the influence of Drugs Any drink driving or drug related driving offence is treated very seriously by the Local Authority.</p>	<p>1st offence</p> <p>Repeat Offences</p>	<p>New – Refuse for 7 years Renewal or existing – refuse or Revoke for 7 years</p> <p>New – Refuse for 12 years Renewal or existing – refuse or Revoke for 12 years</p>	<p>Officer Panel</p> <p>Committee</p>
<p>13.6 ASB/Public Order Offences Drivers should display a measured and calming manner in the face of provocation and difficult situations.</p>	<p>1st offence</p> <p>Repeat Offences</p>	<p>New – Refuse for 12 months Renewal or existing – Suspend for 12 months or refuse to renew</p> <p>New – Refuse for 5 years Renewal or existing – refuse or Revoke for 5 years</p>	<p>Officer Panel</p> <p>Committee</p>
<p>13.7 Drug Related Possession of illegal drugs or other drug related offences (excluding dealing, manufacture or supply of drugs) the applicant will normally be required to satisfy the Local Authority that they are free of addiction subject to a licence being granted.</p>	<p>1st offence</p> <p>Repeat Offences</p>	<p>New – Refuse for 5 years Renewal or existing – refuse or Revoke for 5 years</p> <p>New – Refuse for 7 years Renewal or existing – refuse or Revoke for 7 years</p>	<p>Officer Panel</p> <p>Committee</p>
<p>13.8 Dealing/ Manufacture/Supply of Drugs</p>	<p>1st offence</p>	<p>New – Refuse for 10 years</p>	<p>Officer Panel</p>

Due to the nature of work carried out in hackney carriage and private hire industry, the dealing, manufacture or supply of drugs is treated very seriously and will normally preclude a licence being issued for a considerable time.	Repeat offences	Renewal or existing – refuse or Revoke for 10 years New – Refuse Renewal or existing – refuse or Revoke	Committee
13.9 Public Indecency Offences Public Indecency relates to an act or display which is obscene or disgusting to an extent which outrages minimum standards of public decency in contemporary society and is in a place accessible to or in view of the public.	1 st offence Repeat offences	New – Refuse for 7 years Renewal or existing – refuse or Revoke for 7 years New – Refuse Renewal or existing – refuse or Revoke	Officer Panel Committee
13.10 Sexual Offences The holder of a proprietors, operators and/or private hire or hackney carriage drivers licence are in a position of trust and hackney carriage/private hire drivers often work in isolation with members of society. The Local Authority seeks to minimise risks associated with these persons and for that reason a more serious view will be taken.	No licence will be granted to any applicant that is currently on the Sex Offenders register or on any ‘barred’ list.	New – Refused Renewal or existing – refuse or Revoke	Officer Panel
13.11 Dishonesty For the purpose of these guidelines the following offences are classed as ‘Dishonesty’ <ul style="list-style-type: none"> • Theft • Burglary • Fraud • Benefit fraud (incl offences under sect 111A and 112 of the Social Security Administration Act 1992) • Handling or receiving stolen goods • Forgery (e.g producing false insurance policy) 	1 st offence Repeat offences	New – Refuse for 7 years Renewal or existing – refuse or Revoke for 7 years New – Refuse for 12 years Renewal or existing – refuse or Revoke for 12 years	Officer Panel Committee

<ul style="list-style-type: none"> • Conspiracy to defraud • Obtaining money or property by deception • Other deception • Immigration Offences 			
13.12 Obstruction of Police Officer/Authorised Officer (to include failure to surrender to bail)	1 st offence	New – Refuse for 6 months Renewal or existing -Suspend for 6 months or refuse to renew	Officer Panel
	Repeat offences	New – Refuse for 5 years Renewal or existing – refuse or Revoke for 5 years	Committee
13.13 Violence For the purposes of these guidelines the following are classed as ‘violent offences’ <ul style="list-style-type: none"> • Battery • Common assault • Affray • S5 Public Order Act 1986 offence or distress/harassment, alarm • S4 Public Order Act 1986 (fear of provocation of violence) • S4A Public Order Act 1986 (intentional harassment, alarm or distress). • Possession of offensive weapon • Criminal damage Other violent offences	1 st offence	New – Refuse for 10 years Renewal or existing – refuse or Revoke for 10 years	Officer Panel
	Repeat offences	New – Refuse Renewal or existing - refuse or Revoke	Committee
13.14 Violence (Serious) <ul style="list-style-type: none"> • Arson • Malicious wounding or grievous bodily harm • Actual bodily harm • Racially aggravated • Grievous bodily harm with intent • Robbery • Possession of firearm 	1 st offence	New – Refuse for 10 years Renewal or existing – refuse or Revoke for 10 years	Officer Panel
	Repeat offences	New – Refuse	Committee

<ul style="list-style-type: none"> • Riot • Assault Police • Violent disorder • Resisting arrest • Kidnapping • Wounding <p>Other serious violence</p>	<p>For the purpose of this guideline repeat offences can also include a situation where an applicant or licence holder has a conviction/caution or there is other information which relate to one incident of violence together with one incident of serious violence defined under guidelines 13.13 and 13.14</p>	<p>Renewal or existing – refuse or Revoke</p>	
<p>13.15 Offences or unlawful act resulting in Loss of life or with the Intent to Cause Loss of Life This is not an exhaustive list.</p> <ul style="list-style-type: none"> • Murder • Manslaughter • Manslaughter or culpable homicide while driving • Attempted murder • Corporate manslaughter • Causing death by dangerous driving 	<p>Any offence(s)/conviction (s)/ caution(s) of a nature resulting in loss of life or intent to cause loss of life will normally result in revocation or refusal to renew.</p>	<p>New – refused Renewal or existing – refuse or revoke</p>	<p>Officer Panel</p>
<p>13.16 Terrorism Terrorism means the use or threat of action where designed to influence the Government or an international governmental organisation or to intimidate the public or a section of the public, for the purpose of advancing a political, religious or ideological cause.</p>	<p>This also includes any offence, act or omission linked to a terrorism offence.</p>	<p>New – refused Renewal or existing – refuse or revoke</p>	<p>Officer Panel</p>
<p>13.17 Hate Crime A hate crime is any criminal offence that is motivated by hostility or prejudice based upon the victims disability, race, sexual orientation, transgender, religion or belief.</p>	<p>1st offence</p> <p>Repeat offences</p>	<p>New – refuse for 7 years Renewal or existing – refuse or revoke for 7 years</p>	<p>Officer Panel</p> <p>Committee</p>

		New – refused Renewal or existing – refuse or revoke	
13.18 Plying for Hire Convictions for plying for hire and related no insurance offences show that a driver is unable to work within the legal restrictions of a private hire/hackney carriage driver's licence. Offences of this nature generally result in passengers being uninsured during the journey.	Up to 3 separate incidents without evidence	Warning Escalate to '1 st offence with evidence' if 3 incidents received	Authorised Officer
	1 st offence with evidence	New –Refuse for 3 years Renewal or existing – refuse or revoke for 3 years	Officer Panel
	Repeat offences with evidence	New – refuse for 5 years Renewal or existing – refuse or revoke for 5 years	Committee
13.19 Non Disclosure/Late disclosure of any Conviction/Caution/Fixed Penalty Declarations of criminal and motoring convictions, cautions and fixed penalties are vitally important in order for the Local Authority to review the suitability of licence holders. Failure to declare any of the above can result in unsuitable drivers holding a licence. The conviction/caution/Fixed Penalty when disclosed will be considered in any event in line with this guidance document.	1 st offence	New – refuse for 1 month and/or written warning Renewal or existing – suspend for 1 month and/or written warning (potential to complete additional training course relevant to breach)	Authorised Officer/Officer Panel
	2 nd offence	New – refuse for 6 months Renewal or existing – refuse or suspend for 6 months	Officer Panel
	3 rd or more offences	New – Refuse for 3 years Renewal or existing – Refuse or Revoke for 3 years	Committee
13.20 Breach of Conditions/Bylaws	1 st offence		

		<p>New – refuse for 2 months and/or written warning Renewal or existing – suspend for 2 months and/or written warning (potential to complete additional training course relevant to breach)</p> <p>New – refuse for 6 months Renewal or existing – refuse or suspend for 6 months</p> <p>New – Refuse for 3 years Renewal or existing – Refuse or Revoke for 3 years</p>	<p>Authorised Officer/Officer Panel</p> <p>Officer Panel</p> <p>Committee</p>
<p>13.21 Any other relevant offences (including touting, using operating private hire vehicles without a licence, offences under the Local Government (Miscellaneous Provisions) Act 1976, Town Police Clauses Act 1847)</p>	<p>Up to 3 separate incidents without evidence</p>	<p>Warning Escalate to ‘1st offence with evidence’ if 3 incidents received</p>	<p>Authorised Officer/Officer Panel</p>
	<p>1st offence with evidence</p>	<p>New – refuse for 3 years Renewal or existing – refuse or suspend for 12 months or revoke</p>	<p>Officer Panel</p>
	<p>Repeat offences with evidence</p>	<p>New – Refuse for 7 years Renewal or existing – refuse or Revoke for 7 years</p>	<p>Committee</p>
<p>13.22 Investigation of Serious Offences (involving violence, sexual offences, child sexual exploitation, safeguarding etc).</p>	<p>Where information is received in relation to an existing licence holder or a new applicant from the Police or other enforcement bodies that an individual(s)</p>	<p>Authorised Officer/Officer Panel</p>	

	are under investigation or have been under investigation for a matter that relates to any of the offences outlined in any this table, the Local Authority may consider the information provided and take action in relation to it. This may mean a licence is suspended, revoked, or a renewal or new licence is refused. The power to suspend or revoke immediately may also be used in these circumstances if it is in the interests of public safety.		
13.23 Breach of Requirements as to Control of the Vehicle, such as using a handheld mobile telephone or interactive mobile communications device	Up to 3 separate incidents without substantiated evidence	Warning Escalate to '1 st offence with evidence' if 3 incidents received	Officer Panel
	1 st offence with evidence	New – refuse for 7 years Renewal or existing – refuse or revoke for 7 years	Officer Panel
	Repeat offences with evidence	New – refuse for 12 years Renewal or existing – refuse or revoke for 12 years	Committee
13.24 Health Act A hackney carriage or private hire licence is a badge of approval, it states the Local Authority feels the holder is fit and proper and suitable in every way. The standard of behaviour and level of trust expected should be demonstrated in	1 st offence	New – refuse for 6 months Renewal or existing – refuse or suspend for 6 months	Officer Panel
	Repeat offences	New – refuse for 3 years	Committee

the conduct of these licenced at all times. Drivers most not smoke in a licenced vehicle. Any offence under this act can risk the health of both the driver and passengers.		Renewal or existing – refuse or revoke for 3 years	
<p>13.25 Conduct of Applicants/Licence Holders</p> <p>A hackney carriage or private hire licence is a badge of approval, it states the Local Authority feels the holder is fit and proper and suitable in every way. The standard of behaviour and level of trust expected should be demonstrated in the conduct of those licensed at all times. This includes when drivers are operating outside of Solihull, where drivers are expected to co-operate with reasonable requests from compliance staff authorised in other areas.*</p>	<p>1st offence</p> <p>Repeat offences</p>	<p>New –refuse for 3 - 12 months Renewal or existing – refuse or suspend for 3 - 12 months</p> <p>New – Refuse for 3 years Renewal or existing – refuse or Revoke for 3 years</p>	<p>Officer Panel</p> <p>Committee</p>
<p>13.26 Driving Standards</p> <p>Applicants/drivers of hackney carriage and/or private hire drivers licences must satisfy the Local Authority they are able to drive at a standard that meets the National Standard of driving.</p>	<p>Up to 3 separate incidents without substantiated evidence</p> <p>1st offence with evidence</p> <p>Repeat Offences with evidence</p>	<p>Warning Escalate to ‘1st offence with evidence’ if 3 incidents received</p> <p>New – refuse for 6 months Renewal – suspend pending further competence assessment</p> <p>New – Refuse for 3 years Renewal or existing –Refuse or Revoke for 3 years</p>	<p>Authorised Officer</p> <p>Officer Panel</p> <p>Committee</p>
<p>13.27 Any Equality Act 2010 related breaches, including related breach of Licence Conditions/Bylaws</p>	<p>1st offence</p>	<p>New – refuse for 7 years Renewal – revoke for 7 years Power to suspend immediately may</p>	<p>Officer Panel</p>

	Repeat offences	be used if in the interests of public safety New – refuse Renewal or existing - revoke	Committee
13.28 Environmental Crime Legislation, Health & Safety Legislation, Food Safety Offences and Licensing Act offences etc. The hackney carriage or private hire licence is a badge of approval, it states the Local Authority feels the holder is fit and proper and suitable in every way. The standard of behaviour and level of trust expected should be demonstrated in the conduct of those licenced at all times.	1 st offence	New – refuse for 6 months Renewal or existing – suspend for 6 months	Officer Panel
	Repeat offences	New – refuse for 3 years Renewal or existing – revoke for 3 years	Committee
13.29 Physical Fitness and Medical Conditions Applicants for drivers licences must satisfy the medical fitness standards issued by the DVLA. The agreed standard is the Group 2 Standard for vocational drivers.	<p>In the case of a new application or an application to renew a licence, if the applicant fails to meet the required medical standard the licence will normally be refused. A new licence will not normally be granted for one year after the date of the medical examination or any period advised by an approved medical practitioner.</p> <p>In the case of an existing licence holder, if a person has a medical condition which falls below the standard outlined in the Group 2 Standard of the published medical standards, or they failed to provide a certificate declaring them medically fit in line with the Standard, the licence may be suspended, revoked, or the renewal of a licence refused, dependant on the nature of the condition along with any recuperation or rehabilitation periods.</p>		Authorised Officer/Officer Panel
13.30 Immigration Status	Applicants/licence holders must satisfy the Local Authority that they have a right to work in the UK. In the case of a new application or an application to renew a licence if the		Authorised Officer/Officer Panel

	<p>applicant fails to provide satisfactory documentary evidence from the Home Office of a legal right to work in the UK as a Hackney Carriage or Private Hire Vehicle driver and failure to do so will result in refusal of any application.</p> <p>Failure by an existing licence holder to provide satisfactory documentary evidence from the Home Office of a legal right to work in the UK as a Hackney Carriage and/or Private hire driver will result in revocation.</p>	
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*It should be noted that conduct is a wide-open area and as such there may be occasions where one incident falls so far below the standards expected that a suspension, revocation or refusal to grant or renew is felt the appropriate course of action, even in the first instance. This may include factors such as improper conduct in other areas, the severity of the conduct, the involvement of passengers or aggravating factors.

Sanction starts from the date of conviction date or end of custodial sentence.

When a period of time is highlighted to suspend, revoke or refuse, this is from the expiration of the disqualification period or date of the conviction, caution or in the absence of these date, date of offence or relevant incident and additional training may be required e.g. road risk assessment, driving course etc.

If, at any time, an Authorised Officer is in doubt then a 'fit and proper' decision may be directed to the appropriate Committee.

Annex B - Vehicle Specification/Requirements

All vehicles, including brand-new ones will be subject to a full 'taxi' mot and supplementary test at an approved testing station.

1. The vehicle must comply with the following requirements:
 - Be capable of carrying no more than 8 passengers
 - Have a minimum of 4 opening doors, unless the applicant makes a successful application for dispensation from this requirement
 - Must not be a write-off, regardless of category
 - Have a Euro NCAP of at least 4*
2. There is currently no emissions restriction in place for vehicles licensed by Solihull MBC. However, all licence holders should be aware that the Council has implemented an electric vehicle strategy which can be found here: [Electric Vehicle Strategy](#) and it is important to note that an emissions policy for private hire/hackney carriage vehicles is likely to be introduced in the near future in line with other licensing authorities in the region. Existing licence holders will be given adequate notice and lead in time to change their vehicle if they are likely to be affected.
3. If a licensed vehicle is sold or scrapped and the proprietor wishes to license another one, the date of registration (as specified in the logbook) must be at least 6 months newer than the previous one licensed.
4. The exterior of all licensed vehicles shall be maintained in a clean, safe and proper manner at all times. In particular, the exterior of the vehicle shall:
 - i) be free of large and/or sharp-edged dents,
 - ii) be free of visible rust,
 - iii) be free of unrepaired accident damage (except where an authorised officer has agreed a time period for accident repairs)
 - iv) have uniform paintwork equivalent to that applied by the manufacturer, and
 - v) be maintained in an acceptable state of cleanliness (discretion may be given during periods of adverse weather)
5. The interior of all licensed vehicles shall be maintained in a clean, safe and proper manner at all times. In particular, the interior of the vehicle shall:
 - i) be free of all stains to the upholstery,
 - ii) be free of all splits and tears to the seats,
 - iii) be maintained in an acceptable state of cleanliness, free from odour, and
 - iv) provide seats functioning in accordance with the original manufacturers' specification.

6. Any advisory comments/matters outlined on the MOT certificate must be rectified before the vehicle will be licensed by the authority.

The following requirements relate to the supplementary test ('Taxi' MOT) and will apply to all licensed Private Hire and Hackney Carriage Vehicles.

7. The proprietor must ensure that provision is made for the vehicle to be driven safely and legally following a tyre puncture.
8. All four wheels must be of the same design including alloy wheel centre discs. Vehicles without alloys must have wheel trims fitted. All wheel trims must be matching and securely fixed. The locking wheel nut adapter must be present at the time of the test. Tyres must have a tread depth of more than 2mm.
9. Vehicles converted from vans which have a type approval other than M1 will not be acceptable unless they are presented with approved M1 certification for that vehicle.
10. Any vehicles which have had their seating capacity reduced or increased in order to get a licence for Private Hire must also have an Individual Vehicle Approval (IVA) test carried out and provide the certificate and amended V5 document.
11. Any vehicle fitted with a tail lift or lifting equipment must produce a LOLER certificate at the time of the test. LOLER stands for "The Lifting Operations and Lifting Equipment Regulations 1998". Lifting equipment includes any equipment used at work for lifting or lowering loads, including attachments used for anchoring, fixing or supporting it. Thorough examinations of the lift should be carried out at least every six months.
12. All LPG converted vehicles must produce a certificate of conformity in line with the Code of Practice of the LPG Gas Association Regulations, at the time of the test. The certificate issued must be from an LPGA approved garage.

The following requirements apply to Limousines.

13. The vehicle must hold a valid Individual Vehicle Approval (IVA) Certificate issued by the DVSA. Limousines converted by recognised convertors will only be accepted and evidence of the conversion will be required.
14. The vehicle proprietor must declare to the licensing authority any specific DVLA driver category required to legitimately operate the vehicle.
15. The vehicle will be subject to two 'taxi' MOT's per year.
16. If the vehicle has sideways facing seating, any seatbelts fitted must comply with current seatbelt regulations.
17. The vehicle must be fitted with tyres that meet the appropriate specification for both the size and weight as specified by the convertors. Given the increased weight of the vehicle, tyres of the correct weight and size rating must be used at all times.

The following requirements apply to Hackney Carriages.

18. When licensing a vehicle for the first time, it must be brand new, with delivery mileage only.
19. All vehicles must be purpose traditional London style cabs, purpose built hackney carriages or converted vehicles with the correct conversion certification.
20. All vehicles must be side-loading wheel-chair accessible (WAVs), capable of carrying a reference wheelchair. Associated accessibility ramps and fixings must be available to be assessed at time of testing.
21. A taxi roof sign that can be illuminated when the vehicle is available for hire should be fitted to all vehicles.
22. All vehicles must be fitted with a taxi-meter that is calibrated annually, set to the current tariff and sealed to prevent tampering.

Annex C - SOLIHULL METROPOLITAN BOROUGH COUNCIL

PRIVATE HIRE DRIVER CONDITIONS OF LICENCE

Interpretation

In these conditions:

- a) "The Licensing Authority" means Solihull Metropolitan Borough Council.
- b) "Authorised Officer" means any Officer authorised by the Licensing Authority or any Police Constable.
- c) "Licence" means the Private Hire Driver's Licence, granted by the Licensing Authority.
- d) "Driver" means the holder of this licence.

Introduction

This licence is granted to you subject to you complying with the following conditions of licence. The Licensing Authority reserves the right to vary these conditions or impose further conditions at any time without further consultation.

Failure to comply with any of the conditions may lead to a prosecution or could lead to your licence being suspended, revoked or not renewed by the Licensing Authority.

Possession of this document does not guarantee that the licence is in force. Its validity may be established by the Licensing Authority.

This licence does not permit you to drive a Hackney Carriage.

If you are aggrieved by any of these conditions attached to your licence you may make an application for exemption from them and attend a hearing before the appropriate panel or committee. Alternatively, you can appeal to a Magistrates Court within 21 days of the service of this licence and conditions on you.

If you have any difficulty in understanding or complying with of any of the conditions below, please inform the Licensing Authority immediately so that arrangements can be made to assist you in that respect.

These conditions are attached to your licence in addition to any other legal requirements to which you are required to comply. These include, but are not restricted to, those contained within the Local Government (Miscellaneous Provisions) Act 1976.

Notification of Information to the Licensing Authority

1. The driver must notify the Licensing Authority by email to licensing@solihull.gov.uk within 48 hours of any changes to their name, address, telephone number or email address.
2. The driver must notify the licensing authority by email to licensing@solihull.gov.uk within 48 hours of any:
 - a. Arrest, police investigation, charge, bail conditions, bail extension, summons, conviction, caution, warning, voluntary interview or interview under caution, child abduction warning notice, domestic violence prevention order, anti-social behaviour order, fixed penalty notices or community resolution for any offence
 - b. Investigation, warning order or other action taken by any other agency or authority
 - c. Notice of Intended Prosecution (NIP), driving conviction or endorsement
 - d. Revocation of a DVLA driving licence or disqualification from driving
 - e. Public Service Vehicle (PSV) Operator licence written warning, refusal, suspension or revocation.
 - f. Invitation to attend a licence review or licence refusal, suspension or revocation by any other licensing authority. If the other licence is suspended or revoked immediately, the Licensing Authority must be notified immediately.
 - g. Addition to the DBS Childrens or Adults Barred List.

The driver must make this notification themselves, even if a third party has already notified the licensing authority of the information.

3. In the case of a medical condition that requires notification to the DVLA or means that the driver no longer meets the DVLA Group 2 standard, the driver must stop driving immediately and report the matter to the licensing authority by email to licensing@solihull.gov.uk within 48 hours.
4. If a driver's immigration status changes and there is a change to residency or right to work, the driver must stop driving immediately and inform the licensing authority by email to licensing@solihull.gov.uk within 48 hours.
5. The driver must ensure that they are recognisable from the picture on their driver licence badge by customers and authorised officers. Where the driver's appearance changes substantially or an authorised officer directs it, a new badge must be purchased with a current photograph.
6. The driver must report the loss of the driver's badge or paper licence to the Licensing Authority by email to licensing@solihull.gov.uk within 48 hours. A replacement can be issued upon payment of a fee, and drivers must not undertake any journeys until they are in possession of the replacement.

Medical Fitness

7. A driver is required to undergo medical assessments in line with the DVLA Group 2 standard unless directed otherwise by an authorised officer.

DBS Update Service

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

Conduct of the Driver

12. The driver must wear the licence ID badge issued by the licensing authority either on a lanyard around their neck or attached to their clothing with a clip ensuring that the driver's name and photo are visible.
13. The driver shall, upon the expiry, revocation or suspension of this licence, or at the request of an Authorised Officer, return the driver's badge and paper licence to the Licensing Authority. The badge remains the property of the Licensing Authority.
14. The driver must not request or retain any personal contact information or attempt to establish a personal relationship with passengers.
15. The driver must not use any offensive, abusive, profane, insulting, discriminatory language or behaviour but shall behave in a civil and orderly manner.
16. The driver shall co-operate with reasonable requests from officers authorised by other licensing authorities.
17. The driver must maintain a high standard of personal hygiene.
18. The driver must wear clean clothes, in good condition without any graphics or words of an offensive nature. The upper part of the arms and shoulders must be covered.
19. The driver must wear shoes which cover the foot completely to the ankle.
20. Smoking of any kind including e-cigarettes and vapes is not permitted by anyone in the vehicle at any time. E-cigarettes and vapes may not be used within the vehicle. If a customer smokes in the vehicle, this must be reported to the operator with whom the booking was made immediately after the journey is completed. Drivers should

take care when smoking close to the vehicle that doors and windows are not left open for smoke to enter the vehicle.

21. The driver may be required to undergo drug and/or alcohol testing at any time.
22. If the driver holds an exemption certificate issued under Section 171 of the Equality Act 2010, this must face outwards from the front windscreen of the vehicle and be passed to any passengers upon request. The driver must notify their operator of the exemption certificate and produce it to them.
23. The driver must ensure they feel well and alert before each journey and must not drive if they are tired.
24. The driver must not use radio scanner equipment or speed trap detectors.
25. The driver shall not unduly obstruct any road, pavement, driveway or thoroughfare at any time, and shall not park or wait in such a way as to cause a nuisance or annoyance to local residents or businesses. This includes (but is not limited to), public urination, keeping the engine idling for unnecessary or prolonged periods, playing the radio or talking loudly.
26. The driver shall not park or wait in any prominent area, such as a night-time economy area, restaurant, hotel, shopping centre, railway station, hospital, casino etc., where it gives an impression/appearance that he/she is available for hire unless he/she has been allocated a booking by the operator.

Before a journey

27. The driver must make their face clearly visible to passengers, to allow for verification against the photograph on their driver badge. The driver shall provide their name and badge number to any passenger on request.
28. The driver must make themselves known to passengers upon arrival at the pickup point and provide assistance in identifying the vehicle to any passenger who requests it, at no extra charge.
29. If required, the driver must help passengers enter the vehicle, along with any of their luggage, mobility aids and pushchairs etc.
30. Passengers must be allowed to sit in their choice of licensed seat in the vehicle. The driver must not allow more passengers in the vehicle than the licensed capacity of the vehicle.
31. The driver must allow an assistance dog to travel in the vehicle in a position at the request of the passenger. The driver must treat trainee assistance dogs as though they were assistance dogs.

32. The driver must ensure that passengers are aware of any cashless payment methods before the journey commences, which must be accepted and may not incur additional costs, unless it is a business credit card.
33. If the vehicle has a panic-switch activated audio recording system, the driver must make passengers aware of how to activate the switch.
34. The destination must be confirmed with the passengers before setting-off.
35. The driver should ensure that passengers are conveyed in a safe and comfortable manner and that children are conveyed in the vehicle in the most appropriate seat for their age, height and type of restraint available.
36. The driver shall not allow any other person in the vehicle without the consent of the hirer.

During a journey

37. The driver must, unless requested by the passenger, drive to the destination by the cheapest route for the passenger. The driver must advise the passenger of any changes to the expected route.
38. Radio or sound reproducing instruments or equipment, other than that for sending or receiving messages in connection with the operation of the vehicle, may not be played in the vehicle unless agreed by the passenger.
39. The driver must not make or engage in telephone calls whilst passengers are in the vehicle, except in an emergency, and these calls must be conducted hands-free and lawfully.
40. The driver must report any concerns they have over a child or an adult who appears to be under the control, or being negatively influenced by, any person who places them or someone else at risk of harm or at risk of committing criminal offences. Reports should be made to a relevant authority/safeguarding organisation as soon as possible and at most within 24 hours. If there is an immediate risk, the driver must call 999.
41. The driver must not eat during the journey but may drink water if it is safe to do so. It is for the driver to determine if they wish to allow passengers to eat or drink in the vehicle. The driver must not chew anything that might impair their driving.

After a journey

42. The driver must support customers to use card readers or count their change if requested or required.

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

Annex D - SOLIHULL METROPOLITAN BOROUGH COUNCIL

PRIVATE HIRE VEHICLE PROPRIETOR CONDITIONS OF LICENCE

Interpretation

In these conditions:

- a) "The Licensing Authority" means Solihull Metropolitan Borough Council.
- b) "Authorised Officer" means any Officer authorised by the Licensing Authority or any Police Constable.
- c) "Licence" means the Private Hire Vehicle Proprietor's Licence, granted by the Licensing Authority.
- d) "Proprietor" means the person or company that owns the vehicle, and to whom this licence is granted. In the case of a partnership, "proprietor" means each of the partners, and in the case of a company, "proprietor" means each of the company directors.
- e) "Vehicle" means the vehicle to which this licence relates.
- f) "Driver" means any person that is legally licensed, authorised and insured to drive the vehicle.
- g) "Operator" means the licensed person or company that is operating the vehicle and driver.

Introduction

This licence is granted subject to compliance with the following conditions of licence. The Licensing Authority reserves the right to vary these conditions or impose further conditions at any time.

Failure to comply with any of the conditions may lead to a prosecution or could lead to the licence being suspended, revoked or not renewed by the Licensing Authority.

Possession of this document does not guarantee that the licence is in force, nor does it guarantee that the licensed vehicle is in an on-going roadworthy condition. Its validity may be established by the Licensing Authority.

Any person aggrieved by any of these conditions attached to the licence may make an application for exemption from them and attend a hearing before the appropriate panel or committee. Alternatively, an appeal may be made to a Magistrates Court within 21 days of the grant of this licence and conditions.

If there is any difficulty in understanding or complying with any of the conditions below, please inform the Licensing Authority immediately so that arrangements can be made to assist in that respect.

These conditions are attached to your licence in addition to any other legal requirements to which you are required to comply. These include, but are not restricted to, those contained within the Local Government (Miscellaneous Provisions) Act 1976.

Notification of Information to Licensing Authority

1. The proprietor must notify the licensing authority by email to licensing@solihull.gov.uk within 48 hours of any changes to their name (including trading name), address, telephone number or email address.
2. If the proprietor is a limited company or partnership, change of partners, directors, registered office address or intention to dissolve must be notified to the licensing authority within 48 hours.
3. If the proprietor is a limited company or partnership and it is proposed that a new director or partner joins, the new director or partner must provide a basic DBS certificate dated within the last month to the licensing authority for consideration prior to them being appointed or joining the partnership.
4. If the proprietor, directors or partners change their name, they must notify the licensing authority and apply for a new DBS certificate declaring their current name and all previous names within 48 hours.
5. The proprietor must notify the licensing authority by email to licensing@solihull.gov.uk within 48 hours of any:
 - a. Arrest, police investigation, charge, bail conditions, bail extension, summons, conviction, caution, warning, voluntary interview or interview under caution, child abduction warning notice, domestic violence prevention order, anti-social behaviour order, fixed penalty notices or community resolution for any offence
 - b. Investigation, warning order or other action taken by any other agency or authority
 - c. Notice of Intended Prosecution (NIP), driving conviction or endorsement
 - d. Revocation of a DVLA driving licence or disqualification from driving
 - e. Public Service Vehicle (PSV) Operator licence written warning, refusal, suspension or revocation
 - f. Invitation to attend a licence review or licence refusal, suspension or revocation by any other licensing authority. If the other licence is suspended or revoked immediately, the Licensing Authority must be notified immediately
 - g. Addition to the DBS Childrens or Adults Barred List.
 - h. Seizure of the vehicle by police

The proprietor must make this notification themselves, even if a third party has already notified the licensing authority of the information.

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

6. The proprietor must report the loss of the vehicle licence plate or paper licence to the licensing authority by email to licensing@solihull.gov.uk within 48 hours. A replacement can be issued upon payment of a fee, and drivers must not undertake any journeys until they are in possession of the replacement.

7. The proprietor or driver must notify the licensing authority by email to licensing@solihull.gov.uk as soon as reasonably practicable, and in any case within 72 hours, of the occurrence of any road traffic collision involving the vehicle.
8. The proprietor must return the licence plates to the licensing authority immediately if the licence is revoked or suspended.
9. The proprietor must return the licence plates to the licensing authority when surrendering the licence or within seven days of the licence's expiry.
10. The proprietor must submit a copy of the certificate of insurance, covering the vehicle for hire and reward at any point in the licence's duration, to an authorised officer within 48 hours of any request.
11. If the vehicle is wheelchair accessible, the proprietor must ensure that any driver is properly trained in advance on the safe embarkation, transport and disembarkation of wheelchair users.
12. If the vehicle is wheelchair accessible, the proprietor must ensure that they provide up to date information to the council for the public register, to include all operators that invite bookings for the vehicle.
13. If the vehicle is intended to be sold, the proprietor must notify the Licensing Authority prior to the sale taking place and complete the necessary documentation.
14. If the registration number of the vehicle changes the proprietor must notify the Licensing Authority by email to licensing@solihull.gov.uk prior to the change taking place and complete the necessary documentation.

Maintenance and Safety of the Vehicle

15. The proprietor must ensure that the vehicle is maintained in the condition when it was last approved by the licensing authority upon inspection.
16. Each day before taking charge of the vehicle, the driver must undertake a walkaround check as [prescribed by the licensing authority](#). The walkaround check must be recorded and produced to an authorised officer on request. Records must be kept for a minimum of 15 months.
17. No material alteration or change in the specification, design, condition or appearance of the vehicle shall be made without the prior approval of the licensing authority. Where approval is obtained, the written approval must be kept within the vehicle.
18. The proprietor must ensure that no signs, flags, mascots, notices, advertisements, plates, marks, numbers, letters, figures, symbols, emblems or devices whatsoever are displayed on, in or from the vehicle, apart those specified/authorised by the licensing authority or required by law.

19. The proprietor must ensure that no items are to be hung from or attached to the rear-view mirror.
20. The proprietor must ensure that the vehicle is equipped to allow the vehicle to be driven safely and legally following a tyre puncture.
21. Any radio communication device, PDA, satellite navigation system or handheld mobile device installed in the vehicle shall be securely fixed and fitted in such a position that it does not impair the driver's view or interfere with their control of the vehicle when it is in motion.
22. If the driver holds an exemption certificate issued under Section 171 of the Equality Act 2010, this must face outwards from the front windscreen of the vehicle and be passed to any passengers upon request.
23. The proprietor must ensure that any CCTV cameras are installed within the vehicle by a competent person. The proprietor must ensure all relevant data protection requirements and registrations are complied with.
24. The proprietor or driver must permit the vehicle to be inspected by an authorised officer of any licensing authority or a police officer at any time.

Display of Vehicle licence plate/other permitted signs

25. The exterior vehicle licence plate must be clearly legible, wholly visible, securely and permanently fixed to the rear exterior of the vehicle (not on the rear windscreen), without obscuring the vehicle registration plate, unless an exemption is issued by the licensing authority. Where this is obtained, the exemption letter must be kept within the vehicle.
26. The exterior licence plate must be kept clean and in such condition that the information contained thereon is clearly visible to public view and should not be altered in any way.
27. The exterior licence plate must not be removed by the proprietor or driver without express written (electronic) permission of the Licensing Authority.
28. The proprietor shall display the interior licence plate inside the vehicle on the near side of the windscreen, ensuring it is clearly visible to persons both inside and outside of the vehicle.
29. The driver shall ensure that any call sign allocated to them by the operator is displayed in the front and rear windscreens.

Vehicle Rental/Hiring

30. If the proprietor leases or hires the vehicle to another driver, they must keep an accurate record of which driver is using the vehicle at any particular time. They must inform the Licensing Authority before the hiring of the vehicle and must provide the following information:
- a. A completed vehicle 'On Hire' form
 - b. Proof of appropriate insurance

The records of which driver is using the vehicle at any particular time must be kept for a minimum of 12 months and produced to the Licensing Authority on request.

31. If the proprietor of this vehicle permits or employs any other person to drive the vehicle as a private hire vehicle, prior to engaging them, they must ensure that a copy of the driver's private hire driver's licence is retained until such time as the driver ceases to be permitted or employed to drive the vehicle.

Electric Vehicles

32. If the vehicle is an electric vehicle, it must be capable of travelling a minimum range of 86 miles on a full charge.
33. The vehicle battery must be capable of a rapid charge to at least 80% capacity within one hour of charging.

Limousines

34. Alcoholic drinks provided in the vehicle shall be under the terms of any legislative requirements relating to the sale and supply of alcohol. The driver must ensure that alcohol is only served while the vehicle is stationary and afterwards, all bottles are placed in a secure receptacle. If any passenger is below the age of 18, no alcohol should be served on the vehicle. Any 'glassware' in the vehicle must be made of either shatterproof glass or plastic.
35. If a media screen is installed within the vehicle, the driver shall not play or permit the performance of any media which, because of its age restricted classification or its content, is unsuitable for the age of the passengers in the vehicle (based on the age of the youngest passenger).
36. The driver must ensure that any sunroof fitted to the limousine is closed at all times when travelling and can only be operated by the driver from the driver compartment.
37. Where the rear seat compartment is separated from the driver by a partition, the operation of the partition (if applicable) must only be controlled by the driver from the driver's compartment. If the partition is of a glass construction, it must be made of toughened/safety glass and carry the appropriate safety markings.

38. The driver will take all reasonable steps to ensure that passenger behaviour does not compromise public safety. Passengers need to be seated at all times when the vehicle is moving and prevent them from opening any of the rear windows.
39. Seatbelts must be fitted to all forward and rear facing seats and must be worn at all times by passengers whilst the vehicle is in motion as per current seat belt regulations. There is no legal requirement to fit seatbelts in sideways –facing seats and there are no seat belts or child restraints approved for side-facing seats. However, if seat belts have been fitted to any side-facing seats they must be worn and comply with current seat belt regulations.
40. No seats in the driver's compartment shall be used to carry passengers.
41. If the vehicle is capable of carrying more than 8 passengers, any advertising material must state that the vehicle is only licensed to carry 8 passengers, and the driver or proprietor must ensure that the number of passengers to be carried at any one time will be limited to a maximum of 8.
42. The vehicle must be fitted with tyres that meet the appropriate specification for both the size and weight as specified by the convertors. Given the increased weight of the vehicle, tyres of the correct weight and size rating must be used at all times.

Annex E - SOLIHULL METROPOLITAN BOROUGH COUNCIL

PRIVATE HIRE OPERATOR CONDITIONS OF LICENCE

Interpretation

In these conditions:

- a) "The Licensing Authority" means Solihull Metropolitan Borough Council.
- b) "Authorised Officer" means any Officer authorised by the Licensing Authority or any Police Constable.
- c) "Operator" means the person to whom the Licensing Authority has granted the Private Hire Operator's Licence to which these conditions apply, and who must be responsible for compliance with them. In the case of a partnership liability falls to each of the partners, and in the case of a limited company, liability falls to each of the company directors.
- d) "Licence" means the Private Hire Operator's Licence, granted by the Licensing Authority.

Introduction

This licence is granted to the licence holder subject to compliance with the following conditions of licence. The Licensing Authority reserves the right to vary these conditions or impose further conditions at any time.

Failure to comply with any of the conditions may lead to a prosecution or could lead to the licence being suspended, revoked or not renewed by the Licensing Authority.

Possession of this document does not guarantee that the licence is in force. Its validity may be established by the Licensing Authority.

Any person aggrieved by any of the conditions attached to the licence may make an application for exemption from them and attend a hearing before the appropriate panel or committee. Alternatively, an appeal may be made to a Magistrates Court within 21 days of the grant of this licence and conditions.

If there is any difficulty in understanding or complying with any of the conditions below, please inform the Licensing Authority immediately so that arrangements can be made to assist in that respect.

These conditions are attached to the licence in addition to any other legal requirements. These include, but are not restricted to, those contained within the Local Government (Miscellaneous Provisions) Act 1976.

Notification to the Licensing Authority

1. The operator must notify the licensing authority by email to licensing@solihull.gov.uk within 48 hours of any:
 - a. Arrest, police investigation, charge, bail conditions, bail extension, summons, conviction, caution, warning, voluntary interview or interview under caution, child abduction warning notice, domestic violence prevention order, anti-social behaviour order, fixed penalty notices or community resolution for any offence.
 - b. A notice of intended prosecution, driving licence points, endorsements and disqualifications.
 - c. Public Service Vehicle (PSV) Operator licence written warning, refusal, suspension or revocation.
 - d. Invitation to attend a licence review or licence refusal, suspension or revocation by any other licensing authority. If the other licence is suspended or revoked immediately, the licensing authority must be notified immediately.
 - e. Addition to the DBS Children's or Adults' Barred List.

The proprietor must make this notification themselves, even if a third party has already notified the licensing authority of the information.

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

2. The operator must notify the licensing authority by email to licensing@solihull.gov.uk within 48 hours of any changes to their name (including trading name), address, telephone number or email address.
3. If the operator is a limited company or partnership, a change of partners, directors, registered office address or intention to dissolve must be notified to the licensing authority by email to licensing@solihull.gov.uk within 48 hours.
4. The operator must provide a basic DBS certificate to the licensing authority on every anniversary of the date of licence grant, during the life of the licence. The certificate must be dated within one month of submission. If the operator is a limited company or partnership, a certificate must be provided for each director or partner.
5. If the operator is a limited company or partnership and it is proposed that a new director or partner joins, the new director or partner must provide a basic DBS certificate dated within the last month to the licensing authority for consideration prior to them being appointed or joining the partnership.
6. If the operator, directors or partners change their name, they must notify the licensing authority by email to licensing@solihull.gov.uk and apply for a new DBS certificate declaring their current name and all previous names within 48 hours. This certificate must then be produced to the Licensing Authority.

7. The operator must report any concerns they have over a child or an adult who appears to be under the control, or being negatively influenced by, any person who places them or someone else at risk of harm or at risk of committing criminal offences. Reports should be made to a relevant authority/safeguarding organisation as soon as possible and at most within 24 hours. If there is an immediate risk, the operator must call 999.
8. The operator must inform the licensing authority by email to licensing@solihull.gov.uk of the details of any wheel-chair accessible vehicle being operated by them so that they can be added to the public register.

Insurance and policies

9. The Operator will have in force a current public liability insurance policy to a minimum of £5million, a copy of which will be made available to the Licensing Authority if requested.
10. If the Operator employs more than 5 people, a Health and Safety policy shall be available for inspection by an authorised officer and the relevant notices shall be displayed on the premises.

Documents to be kept by the Operator

Drivers

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

Vehicles

14. The operator must record and provide to an authorised officer, on request, the following details for each private hire vehicle they are partnered with:
 - a. Registration number of the vehicle
 - b. Private Hire Licence number
 - c. Driver call sign (if any)
 - d. Make/model/colour of vehicle
 - e. A copy of the current Private Hire Vehicle licence
 - f. A record of when the current Private Hire Vehicle licence expires

- g. A copy of the current insurance policy for the vehicle
 - h. A record of when the current insurance policy expires
 - i. Whether the vehicle is wheel-chair accessible
15. The information may be recorded electronically or in paper form but must be easily searchable and accessible for the purposes of responding to enquiries from an authorised officer and should be retained for at least twelve months and be available for inspection by an authorised officer at any reasonable time.

Recruitment/Staffing

In this section, 'staff' refers to all workers, whether employed, self-employed, contracted or voluntary.

16. The operator must keep a register of all staff who accept bookings, dispatch vehicles or have access to customer data. This register must be kept up to date and made available to an authorised officer on request. Entries on the register should be kept for at least 12 months after the person's employment/contract ceases.
17. The operator must apply a fit and proper test to all staff with access to customers' sensitive information. This shall include a basic DBS check, or equivalent criminal record check if staff are not UK-based, for all staff, and records kept showing the recruitment and decision-making processes, including the operator's written policy on convictions.
18. A statement or policy on what the Operator considers suitable criteria for determining the fitness and propriety of those staff must be made kept by the Operator, reviewed periodically and made available for inspection by an authorised officer on request.
19. The operator and all staff who are in a role where they interact with members of the public and/or manage service delivery must be trained, or have their knowledge and skills assessed, in Child Sexual Abuse and Exploitation (CSAE), safeguarding and disability awareness. Evidence of this training must be made available to an authorised officer on request.
20. The Operator, or a responsible person over the age of 18 and nominated by the Operator in writing to the Licensing Authority, must be on the premises and in charge of the operation and immediately contactable by any authorised officer at any time during business operation.
21. The Operator must also ensure that any person left in charge of the premises in the absence of the Operator(s) is fully aware of these conditions of licence, in particular those relating to the keeping and maintaining of records for drivers, vehicles, and bookings, and the need to comply with the conditions at all times.

Inviting bookings

22. The operator must ensure that any publicly accessible premises they provide, whether for the purpose of booking or waiting, are kept clean and adequately heated, ventilated and lit. The operator must ensure that any waiting area provided has adequate seating facilities, is for customers only and is kept physically separate from any staff area.
23. The Licence must be on display on the premises in a prominent position. The Operator shall keep a copy of these conditions on the premises to which this licence relates and shall make the same available for inspection by an Authorised Officer at any reasonable time. If the Operator has a website, the licence number and the name of the Licensing Authority must be included.
24. The operator must ensure that any customer information provided in hard copy in their premises is also readily available in alternative accessible formats, including large print, Braille, and Easy Read.
25. Operator websites and digital booking platforms (e.g. apps) must comply with the latest WCAG accessibility standard to Level AA and with the principles of the latest Public Sector Bodies (Websites and Mobile Applications) Accessibility Regulations as a minimum.
26. The operator must be able to identify passengers' accessibility needs prior to taking a booking, to ensure an appropriate vehicle is provided.
27. Where a private hire vehicle has 'third row' seats (i.e. where passengers must move other seats to enter or exit the vehicle), the operator must advise the hirer in advance that some seats have restricted access and so may be unsuitable for passengers with mobility difficulties.
28. The operator must not dispatch a Public Service Vehicle (PSV) for a booking of fewer than 9 passengers, without first informing the hirer that the driver is subject to different checks and not required to have an enhanced DBS check. The customer must explicitly consent to accepting this driver to fulfil their booking.
29. The operator must ensure that all advertising materials comply with the Advertising Standards Authority requirements and do not contain offensive, misleading or potentially inflammatory wording which could be seen as defamatory. Advertising materials must relate to the name of the business on the Licence.

Accepting bookings

30. Operators must not accept bookings that they are unlikely to be able to fulfil punctually and must notify customers at the earliest opportunity if they are unable to fulfil a booking.

31. For every booking accepted for a private hire vehicle, the operator must request and record the following details:
 - a. Any accessibility needs of any of the passengers if shared with the operator
 - b. Passenger's name
 - c. Telephone number, email address or residential address for the hirer
 - d. Time and date the booking was made
 - e. Pickup location of the passenger
 - f. Scheduled pickup time and date
 - g. Any fare agreed in advance (where appropriate)
 - h. If cancelled, the time and date of the cancellation request
 - i. The individual that took the details of the booking (if not recorded by a computer)
 - j. If the booking is for a Public Service Vehicle (PSV) with fewer than nine passengers, that the customer consented to this
 - k. If the booking is sub-contracted.

32. If the booking is sub-contracted:
 - a. The operator to whom the booking is sub-contracted
 - b. The time and date the booking was sub-contracted and accepted

33. Where the operator dispatches a private hire vehicle for a booking, they shall keep a full and accurate record of:
 - a. The individual that dispatched the vehicle (if not dispatched by a computer)
 - b. The other private hire drivers that responded to the booking request, including those that were unsuccessful in being allocated the booking

34. When dispatching a vehicle, the operator must provide the customer with the details of the vehicle and driver dispatched to fulfil the booking, including, as a minimum, the vehicle registration number, the driver's name and the number of the driver licence.

35. For every booking completed, the operator must record:
 - a. The drop off location of the last passenger
 - b. The private hire driver and private hire vehicle that completed the booking

36. These records must be maintained in a bound book with consecutively numbered pages or an appropriate digital booking system, accessible at the operator's trading address. Any digital booking system used must be auditable to a level that shows when an entry was made or amended. Records must be kept for 12 months from the date of the journey and must be made available to an authorised officer on request.

37. At all times that an operator is actively dispatching vehicles there shall be an identified phone number on which the operator (or their nominee) is available for contact at all hours of operation by an authorised officer.

38. Any urgent requests for information from an authorised officer must be provided within four hours. All other requests must be responded to within 5 working days.

39. The operator must ensure that any personal information obtained during the course of their business is stored securely and only retained for as long as absolutely necessary, in compliance with data protection legislation. Access to this information must be restricted to only those persons who will use it for the purpose for which it was collected.
40. The operator shall make provision for the secure storage of lost property (which may contain personal data) left in vehicles and securely dispose of this within six months if not claimed. Reasonable attempts must be made to return any lost property to its owner. Perishable goods, such as frozen foods, dairy products, fruit and vegetables should be disposed of at the discretion of the Operator.
41. There will be a system in place where all property is logged, including a receipt given to the driver and details of the customer who collects it. The following information shall be recorded:
 - a. The date and time the item was found
 - b. The location where the item was found
 - c. A description of the item including any identifying features
 - d. The name and contact details of the person who found it
 - e. Details of what attempts have been made to return the item to its owner
 - f. Collection date (if applicable)
 - g. Destruction date (if applicable)

Fleet insurance policies

42. Operators using vehicles under a fleet policy must ensure that the following details are listed on the insurance certificate, the schedule, or the policy itself:
 - a. Each Private Hire Vehicle covered by the policy
 - b. Any Private Hire Driver authorised to drive each vehicle
43. Operators must ensure that accurate records are kept to identify the driver using any particular vehicle at any particular time.

Complaints

44. The Operator must designate a named complaints manager and must have a documented complaints procedure in place which must demonstrate how they will fully investigate any complaints made by passengers, or other members of the public. An accurate record of the complaint must be kept showing, as a minimum, the following information:
 - A. Date and time complaint made
 - B. Date and time of incident (if provided by the complainant)
 - C. Complainant's details (including contact details)
 - D. Incident details
 - E. Identity of driver and/or vehicle (including driver and vehicle licence number)
 - F. Category of complaint (see below)
 - G. Any police reference number (if applicable)

- H. What actions the Operator has taken or proposes to take, including the driver's response/explanation
 - I. Outcome of complaint (if known at time of notification)
45. Complaint records must be kept for a minimum of twelve months and must be made available to an authorised officer on request.
46. The Operator shall ensure that when a customer reports an incident or makes a complaint, the customer is informed that his or her details may be passed to the Licensing Authority or police in order for them to investigate further. This can be done (for example) by way of a statement on the business website, app or recorded message on the telephone line (or a combination).
47. Complaints must be categorised into levels of seriousness that will determine the action to be taken, as follows:
- a. Level 1 – Immediate action – these complaints must be referred to the Licensing Authority (and the police where appropriate) immediately, and in any case within 24 hours:
 - a) Sexual assault or misconduct involving any sort of touching or physical contact
 - b) Inappropriate sexual remarks, language or questioning
 - c) Physical assault or altercations
 - d) Serious verbal altercations to customers or staff including the threat of violence with or without a weapon
 - e) Accidents with serious injury/fatality
 - f) Allegations of driving under the influence of alcohol or drugs
 - g) Driver arrested or detained by the police
 - h) Theft from a customer/passenger
 - i) Sexual exploitation
 - j) Terrorism/extremism
 - k) Any form of discrimination
 - b. Level 2 – Investigation first – these complaints must be referred to the Licensing Authority after investigation, but within seven days:
 - a) Verbal altercations, including raised voices, angry remarks towards other motorists/pedestrians, use of foul or inappropriate language, aggression etc.
 - b) Refusal to return property
 - c) Plying for hire/touting
 - d) Poor standard of driving
 - e) Substantiated overcharging
 - f) Post-trip contact by driver
 - g) Poor condition of vehicle or driver

The lists in each category are non-exhaustive and if there is any doubt, the Operator should refer the complaint to the Licensing Authority as soon as possible for further advice.

48. In all cases, when referring complaints to the Licensing Authority, the Operator shall include a history of all complaints recorded against that driver.
49. The operator must notify the licensing authority immediately if a school transport provider excludes a driver from undertaking contract work due to a complaint.

Standards of Service

50. An Operator, to the best of his/her knowledge, shall ensure that all drivers operated by him/her are clean and presentable and that the vehicles dispatched are clean and in a roadworthy condition.

Annex F - SOLIHULL METROPOLITAN BOROUGH COUNCIL

HACKNEY CARRIAGE VEHICLE PROPRIETOR CONDITIONS OF LICENCE

Interpretation

In these conditions:

- a) "The Licensing Authority" means Solihull Metropolitan Borough Council.
- b) "Authorised Officer" means any Officer authorised by the Licensing Authority or any Police Constable.
- c) "Licence" means the Hackney Carriage Vehicle Proprietor's Licence, granted by the Licensing Authority.
- d) "Proprietor" means the person or company that owns the vehicle, and to whom this licence is granted. In the case of a partnership, "proprietor" means each of the partners, and in the case of a company, "proprietor" means each of the company directors.
- e) "Vehicle" means the vehicle to which this licence relates.
- f) "Driver" means any person that is legally licensed, authorised and insured to drive the vehicle.

Introduction

This licence is granted subject to compliance with the following conditions of licence. The Licensing Authority reserves the right to vary these conditions or impose further conditions at any time.

Failure to comply with any of the conditions may lead to a prosecution or could lead to the licence being suspended, revoked or not renewed by the Licensing Authority.

Possession of this document does not guarantee that the licence is in force, nor does it guarantee that the licensed vehicle is in an on-going roadworthy condition. Its validity may be established by the Licensing Authority.

Any person aggrieved by any of these conditions attached to the licence may make an application for exemption from them and attend a hearing before the appropriate panel or committee. Alternatively, an appeal may be made to a Magistrates Court within 21 days of the grant of this licence and conditions.

If there is any difficulty in understanding or complying with any of the conditions below, please inform the Licensing Authority immediately so that arrangements can be made to assist in that respect.

These conditions are attached to your licence in addition to any other legal requirements to which you are required to comply. These include, but are not restricted to, those contained within the Local Government (Miscellaneous Provisions) Act 1976.

Notification of Information to Licensing Authority

1. The proprietor must notify the licensing authority by email to licensing@solihull.gov.uk within 48 hours of any changes to their name (including trading name), address, telephone number or email address.
2. If the proprietor is a limited company or partnership, change of partners, directors, registered office address or intention to dissolve must be notified to the licensing authority within 48 hours.
3. If the proprietor is a limited company or partnership and it is proposed that a new director or partner joins, the new director or partner must provide a basic DBS certificate dated within the last month to the licensing authority for consideration prior to them being appointed or joining the partnership.
4. If the proprietor, directors or partners change their name, they must notify the licensing authority by email to licensing@solihull.gov.uk and apply for a new DBS certificate declaring their current name and all previous names within 48 hours.
5. The proprietor must notify the licensing authority by email to licensing@solihull.gov.uk within 48 hours of any:
 - i. Arrest, police investigation, charge, bail conditions, bail extension, summons, conviction, caution, warning, voluntary interview or interview under caution, child abduction warning notice, domestic violence prevention order, anti-social behaviour order, fixed penalty notices or community resolution for any offence
 - j. Investigation, warning order or other action taken by any other agency or authority
 - k. Notice of Intended Prosecution (NIP), driving conviction or endorsement
 - l. Revocation of a DVLA driving licence or disqualification from driving
 - m. Public Service Vehicle (PSV) Operator licence written warning, refusal, suspension or revocation
 - n. Invitation to attend a licence review or licence refusal, suspension or revocation by any other licensing authority. If the other licence is suspended or revoked immediately, the Licensing Authority must be notified immediately
 - o. Addition to the DBS Childrens or Adults Barred List.
 - p. Seizure of the vehicle by police

The proprietor must make this notification themselves, even if a third party has already notified the licensing authority of the information.

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

6. The proprietor must report the loss of the vehicle licence plate or paper licence to the licensing authority by email to licensing@solihull.gov.uk within 48 hours. A replacement can be issued upon payment of a fee, and drivers must not undertake any journeys until they are in possession of the replacement.

7. The proprietor or driver must notify the licensing authority by email to licensing@solihull.gov.uk as soon as reasonably practicable, and in any case within 72 hours, of the occurrence of any road traffic collision involving the vehicle.
8. The proprietor must return the licence plates to the licensing authority immediately if the licence is revoked or suspended.
9. The proprietor must return the licence plates to the licensing authority when surrendering the licence or within seven days of the licence's expiry.
10. The proprietor must submit a copy of the certificate of insurance, covering the vehicle for public hire at any point in the licence's duration, to an authorised officer within 48 hours of any request.
11. If the vehicle is intended to be sold, the proprietor must notify the Licensing Authority prior to the sale taking place and complete the necessary documentation.

Maintenance and Safety of the Vehicle

12. The proprietor must ensure that the vehicle is maintained in the condition when it was last approved by the licensing authority upon inspection.
13. Each day before taking charge of the vehicle, the driver must undertake a walkaround check as prescribed by the licensing authority. The walkaround check must be recorded and produced to an authorised officer on request. Records must be kept for a minimum of 15 months.
14. No material alteration or change in the specification, design, condition or appearance of the vehicle shall be made without the prior approval of the licensing authority. Where approval is obtained, the written approval must be kept within the vehicle.
15. The proprietor must ensure that no signs, flags, mascots, notices, advertisements, plates, marks, numbers, letters, figures, symbols, emblems or devices whatsoever are displayed on, in or from the vehicle, apart those specified/authorised by the licensing authority or required by law.
16. The proprietor must ensure that no items are to be hung from or attached to the rear-view mirror.
17. The proprietor must ensure that the vehicle is equipped to allow the vehicle to be driven safely and legally following a tyre puncture.
18. Any radio communication device, PDA, satellite navigation system or handheld mobile device installed in the vehicle shall be securely fixed and fitted in such a position that it does not impair the driver's view or interfere with their control of the vehicle when it is in motion.

19. The proprietor must ensure that any CCTV cameras are installed within the vehicle by a competent person. The proprietor must ensure all relevant data protection requirements and registrations are complied with.
20. The proprietor or driver must permit the vehicle to be inspected by an authorised officer of any licensing authority or a police officer at any time.

Display of Vehicle licence plate/other permitted signs

21. The exterior vehicle licence plate must be clearly legible, wholly visible, securely and permanently fixed to the rear exterior of the vehicle (not on the rear windscreen), without obscuring the vehicle registration plate, unless an exemption is issued by the licensing authority. Where this is obtained, the exemption letter must be kept within the vehicle.
22. The exterior licence plate must be kept clean and in such condition that the information contained thereon is clearly visible to public view and should not be altered in any way.
23. The exterior licence plate must not be removed by the proprietor or driver without express written (electronic) permission of the Licensing Authority.
24. The proprietor shall display the interior licence plate inside the vehicle on the partition between the driver's cab and the passenger compartment, ensuring it is clearly visible to persons inside the vehicle.

Vehicle Rental/Hiring

25. If the proprietor leases or hires the vehicle to another driver, they must keep an accurate record of which driver is using the vehicle at any particular time. They must inform the Licensing Authority before the hiring of the vehicle and must provide the following information:
 - a. A completed vehicle 'On Hire' form
 - b. Proof of appropriate insurance

The records of which driver is using the vehicle at any particular time must be kept for a minimum of 12 months and produced to the Licensing Authority on request.

26. If the proprietor of this vehicle permits or employs any other person to drive the vehicle, prior to engaging them, they must ensure that a copy of the driver's Hackney Carriage driver's licence is retained until such time as the driver ceases to be permitted or employed to drive the vehicle.

Electric Vehicles

27. If the vehicle is an electric vehicle, it must be capable of travelling a minimum range of 86 miles on a full charge.

28. The vehicle battery must be capable of a rapid charge to at least 80% capacity within one hour of charging.

Taximeters

29. The proprietor must ensure the vehicle is fitted with an appropriate taximeter and that it is always maintained in good mechanical condition. It should be located within the vehicle in full view of the passenger compartment and should not be replaced or altered without prior approval from the licensing authority.
30. The proprietor must ensure that the taximeter is set and calibrated to display the current fare tariff approved by the licensing authority within 28 days of its implementation and should provide a calibration certificate to the licensing authority on request.
31. The proprietor must ensure a copy of the current fare table provided by the licensing authority is on display inside the passenger compartment where it can be clearly and conveniently read by passengers hiring the vehicle.
32. The proprietor and/or driver must ensure that the taximeter is switched off when the vehicle is not hired.
33. The proprietor and/or driver must ensure that at all times when the vehicle is available for hire, an illuminated taxi roof sign is clearly visible indicating that the vehicle is available. This sign must be switched off as soon as the vehicle is hired.
34. As soon as the taximeter is brought into action, the proprietor and/or driver must ensure that the fare and permitted extras are shown legibly on the face of the meter and shall be no more than permitted by the approved tariff.
35. Once hired, the proprietor and/or driver must proceed to the destination via the shortest available route, unless directed otherwise by the hirer.

Accessibility

36. The vehicle must display a recognised wheelchair accessible symbol on the exterior of the vehicle.
37. The proprietor must ensure that any driver is properly trained in advance on the safe embarkation, transport and disembarkation of wheelchair users.
38. The proprietor must ensure that they provide up to date information to the council for the public register.
39. If the driver holds an exemption certificate issued under Section 171 of the Equality Act 2010, this must face outwards from the front windscreen of the vehicle and be passed to any passengers upon request.

Lost Property

40. The proprietor and/or driver must immediately after the termination of any hiring, or as soon as practicable thereafter, carefully search the vehicle for any property that may have been left there.

41. If it is not possible to return the item to the owner, it must be handed in to the Licensing Authority within 72 hours together with details of when it was found and the journey undertaken, and a receipt obtained.



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