



Notice of a public meeting of Licensing and Regulatory Committee Sub-Committee

To: Councillors Melly, Rose and Watson

Date: Thursday, 23 July 2026

Time: 10.00 am

Venue: West Offices - Station Rise, York YO1 6GA

AGENDA

- 1. Chair**
To elect a Member to act as Chair of the meeting.
- 2. Introductions**
- 3. Apologies for Absence**
To receive and note apologies for absence.
- 4. Declarations of Interest** (Pages 7 - 8)
At this point in the meeting, Members and co-opted members are asked to declare any disclosable pecuniary interest, or other registerable interest, they might have in respect of business on this agenda, if they have not already done so in advance on the Register of Interests. The disclosure must include the nature of the interest.

An interest must also be disclosed in the meeting when it becomes apparent to the member during the meeting.

[Please see attached sheet for further guidance for Members].

5. Exclusion of Press and Public

That under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting during the Sub-Committee's deliberations and decision making at the end of the hearing on the grounds that the business involves the likely disclosure of exempt information as defined in paragraph 5 of Part 1 of Schedule 12A to the Act (as amended) and that pursuant to paragraph 10 of Part 2 of the said Schedule 12A the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

6. Minutes

(Pages 9 - 12)

To approve and sign the minutes of the Sub-Committee meeting held on 2 March 2026.

7. Determination of an Application for a drivers' licences for hackney carriages and private hire vehicles (Section 51) (Pages 13 - 56)

This report seeks Members determination of an application for the grant of a private hire driver licence, which has been made under the Local Government (Miscellaneous Provisions) Act 1976.

Democratic Services Officer:

Name: Angela Bielby

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For more information about any of the following, please contact the Democratic Services officer responsible for servicing this meeting:

- Business of the meeting
- Any special arrangements
- Copies of reports and
- For receiving reports in other formats.

Contact details are set out above.

Alternative formats

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我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (ہولی) میں بھی میا کی جاسکتی ہیں۔ (Urdu)

LICENSING AND REGULATORY SUB-COMMITTEE**PROCEDURE FOR CONSIDERING APPLICATION FOR PRIVATE HIRE OR HACKNEY CARRIAGE VEHICLE OPERATOR'S LICENCE**

1. The Democratic Services Officer will conduct election of Chair (unless Chair or Vice-Chair of Licensing Committee is a Member of the Sub-Committee).
2. The Chair will introduce Members of the Sub-Committee and Officers.
3. The Chair will ask the Members of the Sub-Committee to consider a resolution that the press and public be excluded from the meeting during the Sub-Committee's deliberations and decision making at the end of the hearing in accordance with Section 100(A)(4) of the Local Government Act 1972.
4. The Chair will explain the procedure to be followed and ask:-
 - Is the applicant present
 - The applicant to introduce themselves
 - If the applicant is (legally) represented.
 - If the applicant has any witnesses and if so give their names and position.
5. The Licensing Officer will present the report before the Sub-Committee.
6. The applicant or their representative may ask the Licensing Officer questions about the report.
7. The Sub-Committee may also ask the Licensing Officer questions about the report.
8. The applicant or their representative will put their case, calling any witnesses to speak on their behalf (max 15 mins).
9. The Licensing Officer may then ask relevant questions of the applicant and any witnesses.
10. The Sub-Committee may ask relevant questions of the applicant and any witnesses.
11. The Licensing Officer may make a closing speech (max 5 mins).
12. The applicant or their representative may make a closing speech (max 5 mins).
13. The Sub-Committee will then ask the Licensing Officer and the press and public (including the applicant and their representative and witnesses) to leave the Committee room and the Sub-Committee will then consider their decision in private.

14. Unless expressly stated by the Sub-Committee in the hearing, the Sub-committee will invite the Licensing Officer and the press and public (including the applicant and their representative and witnesses) back into the Committee meeting room to announce their decision.
15. The decision of the Sub-Committee together with rights of appeal will subsequently be confirmed to the applicant in writing.

Declarations of Interest – guidance for Members

- (1) Members must consider their interests, and act according to the following:

Type of Interest	You must
Disclosable Pecuniary Interests	Disclose the interest, not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.
Other Registrable Interests (Directly Related) OR Non-Registrable Interests (Directly Related)	Disclose the interest; speak on the item <u>only if</u> the public are also allowed to speak, but otherwise not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.
Other Registrable Interests (Affects) OR Non-Registrable Interests (Affects)	Disclose the interest; remain in the meeting, participate and vote <u>unless</u> the matter affects the financial interest or well-being: (a) to a greater extent than it affects the financial interest or well-being of a majority of inhabitants of the affected ward; and (b) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest. In which case, speak on the item <u>only if</u> the public are also allowed to speak, but otherwise do not participate in the discussion or vote, and leave the meeting <u>unless</u> you have a dispensation.

- (2) Disclosable pecuniary interests relate to the Member concerned or their spouse/partner.
- (3) Members in arrears of Council Tax by more than two months must not vote in decisions on, or which might affect, budget calculations,

and must disclose at the meeting that this restriction applies to them. A failure to comply with these requirements is a criminal offence under section 106 of the Local Government Finance Act 1992.

City of York Council

Committee Minutes

Meeting	Licensing and Regulatory Committee Sub-Committee
Date	2 March 2026
Present	Councillors Nicholls, Rose, and Watson
Apologies	None
Officers in Attendance	Lesley Cooke – Licensing Manager Sandra Branigan – Legal Advisor Jodi Ingram – Legal Advisor

3. Chair (10:04am)

Resolved: That Councillor Rose be elected to act as Chair of the meeting.

4. Declarations of Interest (10:04am)

Members were invited to declare at this point in the meeting any disclosable pecuniary interest or other registerable interest they might have in respect of business on the agenda if they had not already done so in advance on the Register of Interests. None were declared.

5. Minutes (10:05am)

Resolved: That the minutes of the Licensing and Regulatory Committee Sub-Committee held on 28 April 2025 be approved and signed as a correct record.

6. Renewal of a Sex Establishment Licence for First Floor of Ziggy's (Known as Club 55), 53-55 Micklegate, York, YO1 6LJ [CYC019257] (10:06am)

Members considered an application by Ziggy's Limited for a Sex Establishment Licence in respect of Ziggy's (Club 55), 53-55 Micklegate, York, YO1 6LJ.

In considering the application and the representations made, the Sub-Committee took into consideration all the evidence and submissions that were presented within the agenda, including:

1. The application form.
2. The papers before it including the written representation received.
3. The Report of the Director of Environment and Regulatory Services, and the Licensing Manager's comments at the meeting.

The Licensing Manager outlined the report and annexes and noted the premises' opening and licenced hours, including the extension of hours during York Racecourse Race Days, and drew members' attention to the one representation received in objection to the licence. She then confirmed that consultation had been carried out correctly and advised the Sub-Committee of the options open to them in determining the application.

4. The Applicant's representation at the hearing.

Andrew Elliott, on behalf of the Applicant, presented their case. Mr Elliott highlighted that they went above and beyond the regulations in place and didn't usually use their extended hours in order to maintain a good customer base. Mr Elliot confirmed he had personally held licence for 50 years. He reported that any issues experienced were soon mitigated through discussions with the customer and that liaison could often stem any issues from arising.

In response to questions from members, Mr Elliott confirmed that:

- They had held a licence since 2006.
- The Police were once called by the Applicant to remove a customer the Police were searching for, highlighting their communication efforts with North Yorkshire Police.
- Any issues from boisterous customers were mitigated through discussion, and implementation of effective security measures.

The Licensing Officer was then given the opportunity to provide closing statements and concluded that inspections had been undertaken at the premises, and it was found that everything was in order.

The Applicant was then given the opportunity to provide closing statements and drew members' attention to his previous comments.

In respect of the proposed licence, the Sub-Committee had to determine the application for the renewal of the licence in accordance with the Local Government (Miscellaneous Provisions) Act 1982 Schedule 3 as amended by the Policing and Crime Act 2009. Having regard to the above evidence and representations received, the Sub-Committee considered the steps which were available to them to take under virtue of paragraphs 10, 12 and 13 of schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended):

1. Option 1: Grant a renewal of the licence as requested.
2. Option 2: Renew the licence with modified/additional conditions imposed by the Licensing Committee.
3. Option 3: Refuse the application for renewal on one or more of the discretionary grounds within paragraph 12 to Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended).

Following discussion, the Sub-Committee resolved: To grant the renewal of the Sexual Establishment Licence as requested (Option 1).

Reasons for the Decision

The Sub-Committee had regard to Schedule 3 of the Local Government (Miscellaneous Provisions Act) 1982 (as amended) relating to the licensing of Sexual Entertainment Venues and all other relevant legislation, together with the licensing policy of the Council in respect thereof.

The Sub-Committee gave careful consideration to both to the oral evidence of the Applicant and to the one written objection submitted.

The Sub-Committee noted that North Yorkshire Police had not objected to the application.

Taking into account all of the facts, including the history of the Applicant and the locality of the premises, the Sub-Committee was satisfied that none of the mandatory or discretionary grounds for refusal specified under paragraph 12 to Schedule 3 of the Control of Sex Establishments to the Local Government (Miscellaneous Provisions) Act 1982 applied.

Accordingly, the Sub-Committee resolved to grant the renewal of the licence as applied for incorporating the standard conditions.

Cllr Rose, Chair

[The meeting started at 10.04 am and finished at 10.20 am].

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Appendix 8

A Policy on Determining the Suitability of Applicants and Licensees as Drivers in Taxi & Private Hire Licensing

1. Introduction

- 1.1 The Council recognises that the role of hackney carriage and private hire drivers is a professional one. Hackney carriage and private hire drivers transport our most vulnerable persons and are often the first point of contact for visitors to each authority.
- 1.2 The reason for this Policy is to ensure that the travelling public within the authority area can be confident that the drivers licensed are suitable for this role.
- 1.3 The overriding requirement of the Council when carrying out this function is the protection of the public and others who use (or can be affected by) hackney carriage and private hire services. The aim of this Policy is to ensure that public safety is not compromised.
- 1.4 The Council must ensure that applicants/licence holders are and remain fit and proper to hold a licence. This Policy will apply to all new applicant and to existing licensees on renewal. This requirement is contained within Sections 51 & 59 of the Local Government Miscellaneous Provisions Act 1976.
- 1.5 This Policy categorises the types of issues including, crime and driving convictions, that form part of the “fit & proper” test to facilitate the assessment of the potential risk to the public. As part of this assessment the Council is concerned to ensure that:
 - An individual does not pose a threat to the public.
 - The Council’s obligations to safeguard children and vulnerable adults are met.
 - The public are protected from dishonest persons.
- 1.6 The standards of safety and suitability are not set as a base minimum. They are set high to give the public the assurance it requires when using taxi services. The Council does not have to strike a balance between the

driver's right to work and the public's right to protection. The public are entitled to be protected. This means that the Council is entitled and bound to treat the safety of the public as the paramount consideration.

- 1.7 Taxis are used by almost everyone, but they are used regularly by particularly vulnerable groups: children; the elderly; disabled people; and the intoxicated. A taxi driver has significant power over a passenger who places themselves, and their personal safety, in the driver's hands.
- 1.8 As part of the assessment referred to in paragraph 4 above the Council can consider convictions and cautions but also other outcomes of actions taken by the police, other agencies and the Civil Courts.
- 1.9 Reference to convictions in this Policy also includes cautions, warnings, reprimands, all forms of fixed penalty notices, restrictive type orders and any other relevant information. These must be reported to the Council in the format and timescales stated in the relevant Policy. In addition any circumstances relating to the licensee is potentially relevant if it is relevant to their safety and suitability to hold a licence.
- 1.10 Matters which have not resulted in a criminal conviction (whether as a result of an acquittal, a conviction being quashed, a decision not to prosecute or an investigation which is continuing where the individual has been bailed) will be taken into account by the Council. In addition, complaints where there was no Police involvement will also be considered.
- 1.11 In the case of a new applicant who has been charged with any offences and is awaiting trial, the determination will be deferred until the trial has been completed or the charges withdrawn.
- 1.12 In all cases, the Council will consider a conviction or behaviour and what weight should be attached to it, and each case will be decided on its own merits and in line with this Policy.
- 1.13 The licensing process places a duty on the Council to protect the public. Therefore it is essential that those seeking a living as a driver meet the required standards. As previous offending and other behaviour can be considered as a predictor in determining future behaviour, it is important that the Council considers all relevant factors including previous

convictions, cautions, complaints, failures to comply with licence conditions, and the time elapsed since these were committed.

2. Applying the Guidance

- 2.1 One of the purposes of this Policy is to provide guidance to an applicant or existing licence holder on the criteria to be taken into account by the Council when determining whether or not an applicant, or an existing licensee on renewal, is fit & proper to hold a hackney carriage or private hire driver's licence.
- 2.2 When determining whether or not a person is "fit & proper" to become or remain a licensed driver each case will be decided on its own merits and the Council shall only depart from this Policy in exceptional circumstances.
- 2.3 There must be clear and compelling reasons for the Council to depart from this Policy. The otherwise good character and driving record of the applicant or licence holder will not ordinarily be considered exceptional circumstances nor will the impact of losing (or not being granted) a licence on the applicant and/or his family.
- 2.4 The granting of a licence places an individual in a unique position of trust, and they are expected to act with integrity and demonstrate conduct befitting of the trust placed in them. For this reason, whilst it is possible for an applicant or existing licence holder to have convictions that individually comply with the Policy, the overall offending history and conduct of the applicant/licence holder will be considered. Appropriate weight will be applied where a series of convictions/incidents have been incurred over a period of time.
- 2.5 The Policy will also be applied if any additional issue arises that would call into question a person's suitability to continue to hold a licence. If an existing licence holder's conduct falls short of the "fit and proper" standard of behaviour at any time, their licence will be revoked.
- 2.6 Where a licence would normally be granted after an elapsed period, there may be circumstances where the elapsed period will be extended.
- 2.7 Any foreign offence disclosed by the applicant/licence holder or revealed

on an enhanced Disclosure & Barring Service Disclosure will be dealt with in line with this Policy.

- 2.8 Any concerns, issues, incidents or convictions/offences not covered by this Policy will not prevent the Council from taking them into account.

3. Disclosure and Barring Service

- 3.1 Applicants and licensed drivers must comply with the requirements of section 34 of this Policy with regards to DBS checks and the Update Service.
- 3.2 Any information contained in the Enhanced DBS Certificate that identifies an individual as not suitable to work with children or vulnerable adults will normally be refused.
- 3.3 The Council is also entitled to use other records and information including any complaints history that may be available to it in determining applications or an entitlement to continue holding a licence. This may include information held by the Council or other Councils and information disclosed by the Police under the Home Office scheme for reporting offences committed by notifiable occupations.
- 3.4 In determining safety and suitability the Council is entitled to take into account all matters concerning that applicant or licensee. This includes not only their behaviour whilst working in the hackney carriage or private hire trade, but also their entire character including, but not limited to, their attitude and temperament.
- 3.5 Any applicant who has resided outside the UK for any period longer than 6 months within the preceding 3 years must comply with the requirements of sections 34 and 36 of this Policy with regards to DBS checks, the Update Service and certificates of good conduct.
- 3.6 It is the responsibility of the applicant/licence holder to satisfy the Council that they are a “fit and proper person” to hold a licence. Therefore the applicant/licence holder must ensure that all convictions, cautions, warnings, reprimands, fixed penalties, arrests and summonses are disclosed to the Council, including any incurred outside the UK. A failure to report such convictions, cautions, warnings, reprimands, fixed

penalties, arrests and summonses will be given significant weighting.

- 3.7 Once a licence has been granted there is a continuing requirement on the part of a licensee to maintain their safety and suitability to meet the “fit and proper” test. The Council has the powers to take action against licence holders and any behaviour, incidents, convictions or other actions on the part of the licensee which would have prevented them from being granted a licence will lead to the licence being revoked.
- 3.8 Any dishonesty by any applicant or other person acting on the applicant’s behalf which occurs in any part of the application process will result in a licence being refused, or if already granted, revoked and may result in prosecution.
- 3.9 Under the Local Government (Miscellaneous Provisions) Act 1976 section 57, the Council has the power to require an applicant to provide:

“such information as they may reasonably consider necessary to enable them to determine whether the licence should be granted and whether conditions should be attached to such licence.”

The provision of this information can help to satisfy the Council that a person has the skills and competencies to be a professional driver to hold a licence. However, the concepts of “fit and proper” and “safety and suitability” go beyond this. There is the character of the person to be considered as well.

- 3.10 The character of the applicant in its entirety is the paramount consideration when considering whether they should be licensed. The Council is not imposing an additional punishment in relation to previous convictions or behaviours. The information available to them is used to make an informed decision as to whether or not the applicant is a safe and suitable person.
- 3.11 The fact that an offence was not committed when the applicant was driving a taxi or when passengers were aboard is irrelevant. Speeding, drink driving and bald tyres are all dangerous, irrespective of the situation. Violence is always serious. A person who has a propensity to violence has that potential in any situation. Sexual offences are always serious. A person who has in the past abused their position (whatever

that may have been) to assault another sexually has demonstrated completely unacceptable standards of behaviour.

- 3.12 Licensees are expected to demonstrate appropriate professional conduct at all times, whether in the context of their work or otherwise. Licensees should be courteous, avoid confrontation, not be abusive or exhibit prejudice in any way. Licensees are expected to act with integrity and demonstrate conduct befitting the trust that is placed in them.
- 3.13 There are those who seek to take advantage of vulnerable people by providing services they are not entitled to provide; for example, by plying for hire in an area where they are not entitled to do so. The Council expects licensees to be vigilant of such behaviour and to report any concerns to the Police and the relevant licensing authority. Passengers must feel able to check that the person offering a service is entitled to do so. Licensees must be willing to demonstrate that they are entitled to provide the service offered by, for example, showing their badge. Any applicant or licensee who does not comply with the requirements set out in this paragraph will not meet the “fit and proper” test.

4. Criminal and Driving Convictions

- 4.1 The Council considers that a period of time must elapse after a crime before a person can no longer be considered to be at risk of re-offending. The timescales set out in Table A are to reduce the risk to the public to an acceptable level.
- 4.2 In relation to single convictions Table A sets out the time periods that should elapse following completion of the sentence (or the date of conviction if a fine was imposed) before a licence will be granted.
- 4.3 The Council will look at the entirety of the individual and in some cases the suitability will not be determined simply by a specified period of time having elapsed following a conviction or the completion of a sentence. The time periods are a relevant and weighty consideration but they are not the only determining factor.
- 4.4 In addition to the nature of the offence or other behaviour, the Council will also consider the quantity of matters and the period of time over which they were committed. Patterns of repeated unacceptable or criminal

behaviour are likely to cause greater concern than isolated occurrences as such patterns can demonstrate a propensity for such behaviour or offending.

- 4.5 This Policy does not replace the Council's duty to refuse to grant a licence where they are not satisfied that the applicant or licensee is a fit and proper person. Where a situation is not covered by this Policy the Council must consider the matter from first principles and determine the fitness of the individual.
- 4.6 Once a licence has been granted there is a continuing requirement on the part of the licensee to maintain their safety and suitability to meet the "fit and proper" test.
- 4.7 Some offences on their own are serious enough for a licence not to be granted and these identified Table A. In the case of an existing licence "refused" in the Table means "revoked".
- 4.8 Applicants and licensees should be aware that where they have been convicted of a crime which has resulted in the death of another person or was intended to cause the death or serious injury of another person they will not be licensed.
- 4.9 Where an applicant or licensee has been convicted of a crime involving, related to, or has any connection with abuse, exploitation, use or treatment of another individual irrespective of whether the victim or victims were adults or children, they will not be licensed. This includes slavery, child sexual exploitation, grooming, psychological or financial abuse.
- 4.10 The Council will not grant a licence to any applicant who is currently on the Sex Offenders Register or on any "barred" list. Existing licensees who are placed on the Sex Offenders Register or on any "barred" list will have their licence revoked.
- 4.11 Convictions for attempt or conspiracy will be regarded as convictions for the substantive crime. A caution is regarded in exactly the same way as a conviction. Fixed penalties and community resolutions will also be considered in the same way as convictions.

- 4.12 Road Safety is a major priority to the Council. A taxi driver has direct responsibility for the safety of their passengers, direct responsibility for the safety of other road users and significant control over passengers who are in their vehicle. As those passengers may be alone, and may also be vulnerable, any driving convictions or unacceptable behaviour whilst driving will weigh heavily against a licence being granted or retained.
- 4.13 Taxi drivers are professional drivers charged with the responsibility of carrying the public. Any motoring convictions demonstrate a lack of professionalism and will be considered seriously. Whilst it is accepted that offences can be committed unintentionally, and a single occurrence of a minor traffic offence would not prohibit the grant of a licence or may not result in action taken against an existing licence, subsequent convictions would indicate that the licensee does not take their professional responsibilities seriously and is therefore not a safe and suitable person to be granted or retain a licence.

5. Decision and Right of Appeal

- 5.1 Where the Council is minded to refuse an application or suspend or revoke an existing licence in line with this Policy the applicant or existing licence holder will be informed and be given an opportunity to provide any additional written evidence in support of their application or retention of their licence.
- 5.2 The Council, at its absolute discretion, may determine to meet with the applicant or existing licence holder for the purpose of clarifying information provided or received. The applicant can be accompanied by one individual at the meeting who is not permitted to make comment or enter into any part of the discussion.
- 5.3 The Applicant or existing licence holder will be notified in writing of the Council's final decision within 14 days of completion of the procedures set out in paragraphs 43 and/or 44 above.
- 5.4 Any person whose application is refused or licence suspended or revoked by the Council has a right of appeal to the Magistrates' Court. An Appeal must be lodged within 21 days of the decision at the appropriate Magistrates' Court. Appeal rights are contained in Section 77

of the Local Government (Miscellaneous Provisions) Act 1976 (Part II) and Section 300 of the Public Health Act 1936.

Table A

Offence	Period Elapsed
Crimes resulting in death of another person or was intended to cause the death or serious injury to another person.	No period is thought sufficient to have elapsed and the application will be refused.
Exploitation – any crimes involving, related to, or has any connection with abuse, exploitation, use or treatment of another individual irrespective of whether the victims were adults or children including, for example: slavery, child sexual exploitation, grooming, psychological, emotional, or financial abuse.	No period is thought sufficient to have elapsed and the application will be refused.
Offences involving violence (including arson, riot, terrorism offences, harassment, common assault & criminal damage) or connected with any offence of violence.	10 years
Possession of a weapon or any other weapon related offence.	7 years
Sex and indecency offences – any offence involving or connected with illegal sexual activity or any form of indecency.	No period is thought sufficient to have elapsed and the application will be refused.

Updated 21st November 2024

Dishonesty – any offence of dishonesty, or any offence where dishonesty is an element of the offence.	7 years
Drugs supply – any conviction for, or related to, the supply of drugs, or possession with intent to supply or connected with possession with intent to supply.	10 years
Drugs use – any conviction for possession of drugs, or related to possession of drugs.	5 years
Discrimination – any conviction involving or connected with discrimination in any form.	7 years
Drink driving/driving under the influence of drugs.	7 years
Driving whilst using a hand-held telephone or other device.	5 years
Minor traffic or vehicle related offences – Offences which <u>do not involve</u>:- • loss of life, driving under the influence of drink or drugs, • driving whilst using a hand held telephone or other device • injury to any person or damage to any property (including vehicles) a. Applications for a new hackney carriage or private hire driver licence will not be granted when an applicant has 7 or more points for minor motoring convictions showing on their driving licence. b. Existing licence holders reaching 7, or up to and including 9 points on a DVLA licence for minor motoring convictions will receive a warning and will be required to attend appropriate training and practical driving test using one of the Council's approved testers and	3 years

at their own cost. (The driver will be given 2 opportunities to pass the test, failure to pass on the second attempt will result in a review of their hackney carriage / private hire drivers licence and it is likely that they will no longer be considered a 'fit and proper' person to hold a licence). c. Existing licence holders reaching more than 9 points, for minor motoring convictions and / or who have previously attended training under this policy may have their licence refused or revoked dependent on the individual circumstances of the driver concerned and offences committed. In considering such action, the intention of the policy will be to refuse or revoke a licence unless there are no concerns for public safety. Each case will be considered on its own merits.	
Major traffic or vehicle related offences – offences not covered under minor traffic or vehicle related offences and also any offence which resulted in injury to a person or damage to any property (including vehicles), driving without insurance or any offence relating to motor insurance.	7 years
Hackney carriage and private hire offences.	7 years
Vehicle use offences, for example being carried in vehicle without the owner's consent.	7 years.

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Hackney Carriage & Private Hire

Private Hire Driver Conditions

Further copies of these conditions can be obtained via:

Email: licensing@york.gov.uk

Telephone: 01904 552422

Website: www.york.gov.uk/licensing

Licensing Section

City of York Council

Eco Depot

Hazel Court

York

YO10 3DS

Updated 21st November 2024



Private Hire Driver's Licence Conditions

1. Licensed drivers shall act in a considerate manner ensuring the safety and comfort of passengers travelling in, entering or alighting from their vehicle. The driver must conduct themselves in a civil and orderly manner in dealing with passengers, other drivers or proprietors or any other person they come into contact with when acting as a licensed driver. The driver shall be clean and tidy in appearance.
2. Licensed driver shall not smoke (cigarettes or E cigarettes) at any time whilst in the licensed vehicle, or adjacent to it, which results in smoke entering the vehicle, or allow any other person to do so.
3. Licensed driver shall not drink or eat in the vehicle whilst transporting passengers.
4. Licensed driver shall not without the express consent of the hirer, play the radio or any sound reproducing instrument or equipment in the vehicle other than for the purpose of sending or receiving messages in connection with the operation of the vehicle.
5. Licensed drivers shall wear the badge provided by the Council at all times when operating their vehicles.
6. The badge provided by the Council shall remain the property of the Council and must be returned to the Council immediately if the licence is suspended, revoked or becomes invalid for any reason.
7. Licensed drivers shall submit a medical certificate at the age of 45, 50, 55, 60 and 65. Annual medical certificates are required for all drivers over the age of 65. Drivers failing to have their medical within the required timeframe will have their licence suspended or revoked.
8. Licensed drivers shall submit details of any serious illness or prescription of any medication that may affect his/her ability to provide a public transport service.
9. Licensed drivers will not drive when their ability to do so is impaired by having worked excessive hours or when under the influence of drink or drugs.

10. Licensed driver shall within three days' supply to the Council:-

- i) Details of any change of address and/or telephone number.
- ii) Details of any change of private hire operator or vehicle proprietor for whom he/she is driving and the date of commencement or termination of such employment.

11. Licensed drivers shall inform the Council, in writing, within 48 hours of any:

- convictions or finding of guilt (criminal or driving matter);
- caution (issued by the Police or any other agency);
- issue of a Magistrate's Court summons against them;
- issue of a fixed penalty notice or notice of intended prosecution for any matter;
- harassment or other form of warning or order within the criminal law including anti-social behaviour orders or similar; and
- their arrest for any offence, whether or not they are charged.

or being recorded against them or any company of which they are a Secretary or Director.

12. Licensed drivers who find property that has been accidentally left in a private hire vehicle by any passenger shall deliver it to the Licensing Office of the City Council within 48 hours of its discovery.

13. Licensed drivers shall not allow any child below the age of 10 years to be conveyed in the front of a vehicle. (unless the journey is part of a contract where the appropriate risk assessment has been undertaken and safety provisions are in place)

14. Licensed drivers shall if requested by the hirer of a vehicle provide a written receipt for the fare paid.

15. The driver of a licensed private hire vehicle which has been hired by or for a disabled person with their guide, hearing or prescribed assistance dog; or by a person who will be accompanied in the licensed vehicle by such a disabled person, will carry the disabled passenger's dog and allow it to remain with the passenger and not make any additional charge for doing so.

Any person with a medical condition that would be aggravated by carrying dogs may apply to the Council for an exemption from this requirement.

16. The driver of a licensed vehicle shall, when requested by any person hiring the vehicle:-
 - a) convey a reasonable quantity of luggage
 - b) afford reasonable assistance in loading and unloading, and
 - c) afford reasonable assistance in removing it to or from the entrance of any building, station or place at which the driver may take up or set down such person.

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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