

Level 1 Enforcement

1. Licence holder had not carried out daily vehicle checks, or records of daily vehicle checks not available on request.
2. Licenced vehicle has failed the COC twice in the last 18 months.
3. A complaint received about a licence holder will be investigated and the licence holder will be invited to provide comments in writing. The investigating officer will determine, on the balance of probabilities, whether the complaint is justified and/or whether there has been a breach of the Code of Conduct.

Action

The individual will be sent a Level 1 reminder email of expected standards by an officer of the Licensing and Enforcement team.

Level 2 Enforcement

1. Two reminder emails have been issued under Level 1 Enforcement within a 12 month period.
2. A breach of a Licence Condition by a licence holder.
3. A road traffic offence by a licence holder witnessed by an Enforcement Officer of Cambridge City Council, Cambridgeshire County Council or Police (e.g. driving whilst using a mobile phone).
4. Two complaints of a similar nature in a 12 month period (when a complaint concerning a licence holder is received the complaint will be investigated and the licence holder will be invited to provide comments in writing. The officer will decide whether they consider, on the balance of probabilities, that the complaint is justified) and/ or breaches of the Code of Conduct within a 12 month period.
5. Any road traffic offence or combination of offences that resulted in the accrual of penalty points except where the number of points accrued means that the licence holder falls within Level 4 Enforcement.
6. The licence holder fails to return a Temporary Medical Exemption Notice to the Licensing and Enforcement Team within 7 days of the expiry date.
7. Where the licence holder fails to update the licensing authority on relevant information as set down in the Hackney Carriage & Private Hire Licensing Handbook or where the licence holder fails to comply with any of the requirements set down in the Handbook.
8. Any other relevant minor contravention on non-compliance identified that does not fall into one of the above categories.
9. A combination of the above in addition to one complaint received.

Action

The individual will be invited to provide a formal response in writing and appropriate action will be taken, which may include the issue of a Level 2 written warning to the driver reminding them of expected standards.

Level 3 Enforcement

1. The licence holder has received a simple caution for an offence under
 - Town Police Clauses Act 1847
 - Part II of the Local Government (Miscellaneous Provisions) Act 1976
 - Part IV of the Transport Act 1980
 - Part I of the Health Act 2006
 - Chapter 1 of Part 12 of the Equality Act 2010
2. A substantiated complaint has been received regarding the conduct of the licence holder (other than an offence) or the condition of a vehicle.
3. The licence holder has committed an offence under
 - Town Police Clauses Act 1847
 - Part II of the Local Government (Miscellaneous Provisions) Act 1976
 - Part IV of the Transport Act 1980
 - Part I of the Health Act 2006
 - Chapter 1 of Part 12 of the Equality Act 2010

Where legal proceedings are not instigated.

4. The licence holder breaches two licence conditions or two road traffic offences by the licence holder are witnessed by an Enforcement Officer of Cambridge City Council, Cambridgeshire County Council or the Police (e.g. driving whilst using a mobile telephone), or one of each occurs within a 12 month period.
5. The licence holder has committed an action covered in Level 2 where they have been written to by an officer of the Commercial & Licensing Team in the previous 12 month period and reminded of the expected standards.
6. The licence holder has committed any offence relating to the Policing and Crime Act 2014.
7. Complaint received about a licence holder's behaviour towards a Cambridge City Council employee.
8. The licence holder does not hold an up-to-date medical certificate.
9. The licence holder does not hold an up-to-date DBS certificate.
10. The licenced vehicle does not have CCTV installed or working.

Action

The individual may be interviewed by an officer of the Licensing and Enforcement team and the appropriate action will be taken, which may include the issue of a Level 3 written warning or proceeding to Level 4 or Level 5 enforcement action.

Level 4 Enforcement

1. The licence applicant has held their DVLA driver's licence for less than 2 years after its return as a result of suspension for any reason.
2. The licence holder or licence applicant has been convicted within the past 3 years of any single offence which has resulted in 6 or more points being attached to their DVLA driver's licence.
3. The licence holder or licence applicant has been convicted within 1 year of any combination of offences which has resulted in more than 6 points being attached to their DVLA driver's licence.
4. If at the time of application (for grant, renewal or during the life of an existing licence) the licence holder or licence applicant has more than 9 points attached to their DVLA driver's licence.
5. If the licence holder or licence applicant fails to complete the initial or refresher safeguarding training as required by the Council.
6. If the licence holder or licence applicant presents medical information (or makes a declaration) for consideration but does not declare them unfit to drive.
7. Historical convictions on DBS certificates will be part of a retrospective review following the adoption of the Department for Transport's 'Statutory Taxi and Private Hire Standards'.

Action

The individual will be interviewed by an officer of the Licensing and Enforcement team and referred to the Strategic Environmental Health and Public Safety Lead or the Commercial and Licensing Team Manager, to consider whether the licence holder or licence applicant is a fit and proper person to hold a licence; action that may be taken includes issue a Level 4 written warning, refusal to grant a licence or the revocation, suspension or refusal to renew an existing licence.

Level 5 Enforcement

1. The applicant or licence holder falls within the Convictions Policy (Appendix S of the Handbook) but submits exceptional circumstances in support of their case.
2. The licence holder has committed an action covered in Levels 3 or 4 where they have been interviewed by an officer of the Commercial & Licensing Team in the previous 12 month period and a Level 3 or 4 written warning has been given.
3. The licence holder or licence applicant has been convicted within the last 5 years of more than one offence of drunkenness or related.
4. If the licence holder or licence applicant has one or more convictions relating to
Town Police Clauses Act 1847
Part II of the Local Government (Miscellaneous Provisions) Act 1976
Part IV of the Transport Act 1980
Part I of the Health Act 2006
Chapter 1 of Part 12 of the Equality Act 2010
Which is not spent under the Rehabilitation of Offenders Act 1974.
5. If the licence holder or licence applicant have committed any offences arising from Asylum & Immigration matters.
6. Upon the application for or the duration of a licence, if there is intelligence, supplementary information or any other reasonable cause where officers have concerns about the grant or the continuation of a licence.
7. An applicant who has been suspended/refused/revoked by Cambridge City Council or another Local Authority may not be considered “fit and proper” for a period of at least 10 years from the date of the suspension/refusal/revocation. This period may be extended depending on the circumstances.

Action

The individual will be interviewed by an officer of the Licensing and Enforcement team and will be referred to the Licensing Sub Committee to consider whether the licence holder or licence applicant is a fit and proper person to hold a licence; action that may be taken includes final written warning, refusal to grant a licence or the revocation, suspension or refusal to renew an existing licence.