

<b>COMMITTEE :</b>	<b>GENERAL LICENSING COMMITTEE</b>
<b>DATE:</b>	<b>10 MARCH 2014</b>
<b>TITLE:</b>	<b>UPDATING THE RELEVANT CONVICTIONS POLICY IN RESPECT OF THE LICENSING OF TAXI DRIVERS</b>
<b>PURPOSE:</b>	<b>FOR DECISION</b>
<b>AUTHOR:</b>	<b>HEAD OF REGULATORY SERVICES</b>

## **INTRODUCTION**

- 1.1 You will be aware that as an Authority we have adopted guidance on relevant convictions as a part of the Taxi Policy , some time ago ( see annex 1).These guidelines have been used by officers, and by you as members to assist us in the determination of applications for driver licences from individuals who have relevant convictions on their DBS reports. Over the last few months we as Local Authorities in Wales have been reviewing our guidelines in respect of relevant convictions; and have decided through the All Wales Licensing Technical Panel to recommend an updated guidance which is relevant to current situations arising in taxi licensing. ( see annex 2)
- 1.2 The purpose of this policy is to provide guidance on the criteria taken into account by the council when determining whether or not an applicant or an existing licence holder is a fit and proper person to hold a hackney carriage and/or private hire driver / operator licence. Adopting this updated guidance would ensure consistency of approach with other Authorities.
- 1.3 The aim of this policy is to protect the safety of the public. The Licensing Authority is concerned to ensure:
- That a person is a fit and proper person;
  - That the person does not pose a threat to the public;
  - That the public are safeguarded from dishonest persons;
  - The safeguarding of children and young persons;
  - The safeguarding of vulnerable persons;
  - That the public have confidence in their use of licensed vehicles.
- 1.4 This policy aims to provide guidance to any person with an interest in public and private hire licensing. In particular, but not exclusively:
- Applicants for driver / operator licences
  - Existing licensed drivers / operators whose licences are being reviewed
  - Licensing Officers and Police

- Members of the Licensing Committee/ Panel
- Magistrates and Crown Court hearing appeals against local
- authority decisions

1.5 Where licensing officers have delegated powers to grant licences, they will utilise these guidelines when making a decision to grant a licence. In all other cases applications for licences will be referred to the licensing sub - committee/panel . Whilst officers and the sub - committee will have regard for the guidelines contained in the policy, each case will be considered on its individual merits and, where the circumstances demand, the committee/officer may depart from the guidelines.

1.6 Where applicants fail to disclose any previous convictions; cautions; warnings; penalty notices, orders or reprimands on their application form including any pending court proceedings or other matters they may be referred to the Licensing Sub - Committee for determination.

#### **RECOMMENDATION**

**That the Committee accept the updated relevant conviction guidance; which will be adopted by this committee when the whole Taxi Licensing Policy is reviewed in due course.**