

COMMITTEE	GENERAL LICENSING COMMITTEE
DATE:	1 December 2025
TITLE:	REVIEW OF CYNGOR GWYNEDD TAXI POLICIES - Relevant Convictions Policy – Suitability Criteria for Drivers and Operators <i>Institute of Licensing Suitability Guidance Document - Guidance on determining the suitability of applicants and licensees in the Hackney Carriage and Private Hire industry</i>
PURPOSE:	TO PRESENT REVISED POLICY DOCUMENTS FOR APPROVAL SO AS TO ADOPT THEM WITH IMMEDIATE EFFECT AND INCLUDE IN COLLABORATIVELY THE NEW COMBINED TAXI LICENSING POLICY WHICH WILL BE SUBJECT TO A PUBLIC CONSULTATION
AUTHOR:	HEAD OF ENVIRONMENT DEPARTMENT

1.0 BACKGROUND INFORMATION

- I.1 As you are aware, I reported to this Committee on 10 March 2025 that all the Council's current taxi policies in relation to drivers, vehicles and operators were subject to a review process, with a view to forming a single new Combined policy for taxi licensing.
- I.2 Various guidelines, procedures and policies will be reviewed and adopted as part of the proposed Combined Policy.
- I.3 The 'Suitability Criteria for Drivers and Operators' Policy was adopted in 2014 following a piece of regional work where joint guidance was developed collaboratively between Welsh licensing authorities, in an attempt to develop consistency between councils in determining the suitability of applicants and licensees to hold taxi licences.
- I.4 In accordance with sections 51, 55 and 59 of the Local Government (Miscellaneous Provisions) Act 1976 (the Act), an individual applying for the grant or renewal of a hackney carriage or private hire vehicle driver's licence or a Private Hire Company Operator's licence, must submit sufficient evidence to the Licensing Authority to enable them to determine whether the individual is a 'fit and proper' person to hold that licence.
- I.5 There is no specific interpretation of what the expected standard is to prove an individual's suitability and safety to hold a taxi licence, but section 57 of the Act provides licensing authorities with the power to request evidence/documents to be submitted with an application to enable the Authority to decide whether the person is 'fit and proper'.
- I.6 All applicants complete an application for an enhanced DBS, and a medical certificate and declaration of physical fitness in accordance with DVLA Group 2 standards. Additional checks are also considered such as a check on the National Criminal Records Database (NR3) . On occasion, the Police disclose information to the Council on relevant criminal investigations where an individual who is already a taxi driver is under investigation for a serious offence, or has been arrested.

2.0 THE INSTITUTE OF LICENSING'S GUIDANCE ON DETERMINING THE SUITABILITY OF APPLICANTS AND LICENSEES IN THE HACKNEY CARRIAGE AND PRIVATE HIRE INDUSTRY 2024

- 2.1 In 2018, the Institute of Licensing published guidance to assist Licensing Authorities in determining the suitability of individuals to hold a taxi driver's licence or operator's licence. The document *Guidance on determining the suitability of applicants and licensees in the hackney and private hire trades 2018* offered additional guidance to Local Authorities and this Committee decided to adopt the document as official additional guidance to be considered in conjunction with the Council's Convictions policy.
- 2.2 In 2024, this guidance was revised to reflect the Government's Department for Transport Best Practice Guidance in 2023 – and a revised document of the Suitability Guidance was published in November 2024.
- 2.3 The Suitability Guidance allows officers and members to consider wider issues affecting a person's suitability and safety to hold a taxi licence, and it addresses in detail considerations such as concerns surrounding Child Protection and vulnerable people.

3.0 PROPOSED CHANGES TO THE SUITABILITY CRITERIA FOR DRIVERS AND OPERATORS

- 3.1 The main principles of the Suitability Criteria remain the same in the revised version of the policy. The main changes focus on aligning the Council's Criteria Policy with the Institute of Licensing's Suitability Guidance, and with policies implemented in other councils such as –
- Licence applications should not be considered under any circumstances where offences have resulted in death caused by driving.
 - Offences involving Dishonesty – the period during which the granting of an application should not be considered to be changed from 3 years from the end of a sentence to 7 years.
 - The period when an application should not to be considered following disqualification from driving has been extended to 7 years for driving under the influence of alcohol or drugs from the end of the disqualification period.
 - Granting a licence where an individual has been convicted twice for driving under the influence of alcohol or drugs, or for failing to provide a specimen, should not be considered.
 - Where an individual's DVLA driving licence has been revoked and there has been a driving disqualification of 5 years or more – the granting of a licence should not be considered until 7 years have elapsed since the disqualification period ended.
 - Specific guidance on decisions where there are endorsements (points on a DVLA driving licence).
 - Confirm that an application will be refused where the applicant's licence has been revoked by any licensing authority if the application has been made less than 3 years since the licence was revoked.
 - An application will be referred immediately for the decision of the Committee where a licence has been revoked within a period of 5 years prior to the submission of the application.
 - Expand the list of sex offences and gross indecency offences.

4.0 RECOMMENDATION

- 4.1 The General Licensing Committee is asked to consider the proposals in terms of reviewing the 'Suitability Criteria for Drivers and Operators' and approve them for implementation from 1 January 2026.
- 4.2 Approve the adoption of the latest Institute of Licensing guidance - *Guidance on determining the suitability of applicants and licensees in the hackney carriage and private hire industry 2024*, and any subsequent updates, as additional official guidance to be considered alongside the Council's Suitability Criteria convictions policy.
- 4.3 Consider whether any other requirement needs to be included in the Suitability Criteria.