



<b>REPORT TO:</b>	Licensing Committee
<b>DATE:</b>	11 <sup>th</sup> June 2014
<b>LEAD OFFICER:</b>	Head of Planning and Public Protection
<b>CONTACT OFFICER:</b>	Senior Licensing Officer <a href="mailto:licensing@denbighshire.gov.uk">licensing@denbighshire.gov.uk</a> 01824 706451
<b>SUBJECT:</b>	Proposed revised Relevance of Conviction Policy for Hackney Carriage and Private Hire Operators and Drivers

**1. PURPOSE OF THE REPORT**

1.2 To present to Members a proposed revised Relevance of Conviction Policy for hackney carriage and private hire drivers and operators, for their consideration.

**2. EXECUTIVE SUMMARY**

2.1 For Members to consider approving a revised policy regarding the relevance of convictions for Hackney and Private Hire Drivers and Operators.

**3. BACKGROUND INFORMATION**

3.1 Members will be aware that as an Authority we have adopted guidance on relevant convictions as a part of the hackney carriage and private hire conditions book (Blue Book) .These guidelines have been used by both Members and Officers, to assist in the determination of applications for driver licences from individuals who have relevant convictions on their Disclosure and Barring Service reports. The Council's existing relevance of conviction guidance is attached at Appendix A.

3.2 Local Authorities in Wales have been reviewing the guidelines in respect of relevant convictions, and have decided through the Directors of Public Protection Wales (DDPW) Licensing Technical Panel to recommend an updated guidance which is relevant to current situations arising in taxi licensing. The proposed revised guidance is attached at Appendix B.

3.3 The DPPW recommend that the policy is adopted by all Local Authorities in Wales. This is to ensure a consistent and transparent approach across Wales when determining whether or not an applicant or an existing

licence holder is a fit and proper person to hold a hackney carriage or private hire driver/ operator licence.

3.4 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.

3.5 Where Officers have delegated powers to grant licences, they will refer to these guidelines when making a decision to grant a licence. In all other cases applications for licences will be referred to the Licensing Committee. Whilst Officers and Members will have regard to the guidelines contained in the policy, each case will be considered on its individual merit and, where the circumstances demand, the Committee/Officer may depart from the guidelines.

#### 4. **CONSULTATION**

4.1 Contrary to usual practice, Officers sought approval from the Head of Planning and Public Protection, to deviate from our existing Policy Process, and consulted with the licensed trade and interested parties before presenting it to Members of the Licensing Committee. The purpose of this change was to minimise any delay in Members' making a decision on this important policy, and to avoid any need to have to report back again to Members after the consultation period had ended.

4.2 Members will be aware that they were included as part of the consultation process, along with all Elected Members, Town and Community Councils, all licence holders, and trade associations.

4.3 As a result of the consultation, we have not received any objections to the proposed Relevance of Conviction Policy.

4.4 It is worthy of note that one of the main Taxi operators in the County are fully supportive of the Relevance of Conviction Policy, and have been invited to the meeting, along with all other individuals that had responded to the consultation.

5. **RECOMMENDATION**

- 5.1 That Members approve and adopt the revised Hackney Carriage and Private Hire Conviction Policy found at Appendix B to this report.