

REPORT TO:	Licensing Committee
DATE:	13 th June 2018
LEAD OFFICER:	Head of Planning and Public Protection
CONTACT OFFICER:	Senior Technical Officer (Licensing) 01824 706433
SUBJECT:	Update on Hackney Carriage and Private Hire Conviction Policy

1. PURPOSE OF THE REPORT

- 1.1 To update Members on the Hackney Carriage and Private Hire Drivers' Conviction Policy.

2. EXECUTIVE SUMMARY

- 2.1 Members have scheduled an update on the progress on the policy associated with Hackney Carriage and Private Hire Drivers' Conviction Policy.

3. POWER TO MAKE THE DECISION

- 3.1 No decision required.

4. BACKGROUND INFORMATION

- 4.1 The council, as part of its function of the licensing of hackney carriage and private hire drivers, has established a Conviction Policy so as to guide applicants and officers on expectations relating to relevance of convictions etc.
- 4.2 The current Conviction policy was last reviewed in 2014.
- 4.3 Members will recall that they agreed that the current policy should be reviewed as part of their forward work programme.
- 4.4 Since this was added to the forward work programme there has been a significant amount of work by a national working group, namely the Institute of Licensing (IOL) consisting of a wide spectrum of stakeholders with an interest in taxi licensing, to develop a national model on the

suitability of applicants and licensees in the hackney carriage and private hire vehicles.

- 4.5 The final version of the IOL's Policy was published in April of this year, and Members will recall that during their recent Member training facilitated by James Button, the IOL's policy was discussed and Members were keen for an update on the policy at the next scheduled meeting. For Members information a copy of the IOL's policy is attached at Appendix A.
- 4.6 The intention of the national policy was for as many local authorities to adopt the document to standardise the minimum requirements for determining whether applicants were suitable to becoming a licence taxi driver.
- 4.7 Officers have made enquiries with neighbouring authorities to establish whether there was an intention to adopt the National" IOL" policy throughout North Wales. On initial enquiry only Anglesey have expressed an interest in adopting the IOL policy.
- 4.8 As it appears that adoption may not be wide spread across North Wales, Members should be made aware that there is a risk in Denbighshire being the only Local Authority in North Wales to adopt the IOL's policy, as applicants who may not meet the requirements of the policy could apply to any other neighbouring authority that has not adopted the national policy and, if granted, could still operate in Denbighshire under some circumstances.
- 4.9 Members should be aware that the Licensing Technical Panel (Wales), a forum of local authority Licensing officers, have also had a discussion around the IOL's National Relevance of Conviction Policy, both positive and negative comments have been received, however all agreed that there was a need to scrutinise this policy further so as to establish any variation and its potential impact before the Panel could support the adoption throughout Wales.
- 4.10 In addition to the IOL's extensive work in developing a robust conviction policy, over the next few months, the Welsh Government will be bringing forward a white paper that will set out proposals for how they think licensing should work in Wales. It remains that the Welsh Government hope that they will be in a position to introduce legislation into the National Assembly for Wales before the end of this current Assembly term.
- 4.12 The Welsh Government have suggested that the IOL's policy or

something similar would probably find its way into any new legislation for Wales.

- 4.13 In the meantime, should Members be minded to wait for the outcome of the Welsh Government White Paper, the Council's existing Conviction Policy could be reviewed to ensure any areas of ambiguity are removed or clarified.

5.0 RECOMMENDATION

- 5.1 Members authorise officers to continue to assess the impact on the adoption of the Institute of Licensing Relevance of Conviction Policy alongside the Welsh Government's review and report back to a future committee meeting.
- 5.2 Members instruct officers to review the current Conviction Policy and report back to the next Committee meeting.