

REPORT FROM: PLANNING, BUILDING CONTROL AND LICENSING SERVICES MANAGER

TO: TAXI & OTHER LICENSING COMMITTEE

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Report Author: Jackie Allen
Tel. No: 01282 661638
E-mail: jackie.allen@pendle.gov.uk

TAXI LICENSING CONVICTIONS POLICY GUIDELINES

PURPOSE OF REPORT

To update the licensing convictions policy in order to determine whether or not an applicant or an existing licence holder is a fit and proper person to hold a licence in Pendle.

RECOMMENDATIONS

- (1) To approve the attached draft Taxi Licensing Convictions Policy Guidelines.
- (2) Subject to approval, the taxi trade be consulted on the draft Convictions Policy and any objections be reported back to the Taxi & Other Licensing Committee.

REASON FOR RECOMMENDATIONS

In order to ensure Pendle has effective policies and procedures in place to protect the safety of the public.

ISSUE

- 1 A number of high profile cases have highlighted deficiencies in some organisations' policies leading to vulnerable sections of society not being protected in an effective way.
- 2 Working alongside other Lancashire authorities licensing officers, and in order to ensure Pendle has effective policies and procedures in place, our Taxi

Licensing Convictions Policy Guidelines have been reviewed and updated to reflect any deficiencies and have a more robust policy.

- 3 Licences for drivers of hackney carriages or private hire vehicles may only be granted where the Council is satisfied that the individual is a fit and proper person to hold such a licence.
4. One aspect of that is the extent to which previous convictions, including, but not limited to, convictions for offences against children and young person, dishonesty, sexual offences, traffic offences, violence and drugs and would not take advantage of passengers or abuse or assault them are relevant to the question of whether a person is fit and proper to hold a license.
- 5 The policy has been revised to make it clearer as to how we will deal with those convictions with particular emphasis on child related convictions and crimes at the more serious end of the scale such as rape and murder. The policy proposes not to allow anyone with those level of conditions to hold a license. We have taken a more robust approach to this that the Lancashire policy which says that in these cases a person "... will not normally ..." be allowed a license which leaves the door open for licenses to be given.
6. The Council also has a duty to take into account any complaints made to the Council, Police, licensed operators or and their agencies , breaches of licensing conditions and any intelligence received from other agencies, including circumstances which have not resulted in a criminal conviction or other disposal, in deciding whether a person should hold a license. The proposed policy makes it clear that we would take into account matters that may not be formal convictions but which will be factors in determining if a person should hold a license.
- 6 The policy will need to be consulted on for a period of six weeks.

IMPLICATIONS

Policy:	The update will add additional robustness to the effectiveness of the polices of the Council
Financial:	None
Legal:	None
Risk Management:	None
Health and Safety:	None
Sustainability:	None
Community Safety:	None
Equality and Diversity:	None