

<b>REPORT FROM:</b>	<b>PLANNING, BUILDING CONTROL AND LICENSING SERVICES MANAGER</b>
<b>TO:</b>	<b>POLICY AND RESOURCES COMMITTEE</b>
<b>DATE:</b>	<b>24<sup>th</sup> July 2018</b>

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## **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**

That the attached Taxi Licensing Convictions Policy Guidelines be adopted.

### **REASON FOR RECOMMENDATION**

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 has been consulted on with no comments being received about it.

## **IMPLICATIONS**

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