



LICENSING AND APPEALS COMMITTEE 8 DECEMBER 2004

Report of the Director of Corporate Services

REVIEW OF LICENSING SUB COMMITTEE A GUIDELINES

RECOMMENDATION

1. To approve the revised Licensing Sub Committee A Guidelines for considering applications for Hackney Carriage Drivers, Private Hire Drivers and Private Hire Operators Licences.

SUPPORTING INFORMATION

- 2.1 The current Licensing Sub Committee A Guidelines were adopted on 13 December 1993 and have remained unaltered since that date. The Guidelines were based directly upon Home Office Guidance issued to local authorities.
- 2.2 Officers from the Taxi Licensing and Legal Sections have recently conducted a review of the Guidelines. This review was prompted by various factors including the introduction of enhanced CRB disclosures providing a broader range of information about applicants/licensed drivers, changes to Rehabilitation of Offenders Act, exemptions and changes to this Council's policy relating to consideration of offences more than 10 years old, and the length of time elapsed since the Guidelines were last reviewed..
- 2.3 Updating of the Guidelines has also allowed clarification of certain paragraphs and changes to job titles. However, in spite of these changes the document still adheres closely to the original Home Office Guidance and therefore reflects accepted 'good practice'.
- 2.4 A copy of the revised document is attached in Appendix 2.

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Background papers:

List of appendices:

Appendix 1 Implications

Appendix 2 Revised Guidelines

IMPLICATIONS

Financial

1. None

Legal

2. Decisions taken by Licensing Sub Committee A based upon these Guidelines (including issuing warnings, suspending, refusing or revoking drivers or operators licenses) can be challenged by appeal to the Magistrates Court. The Guidelines themselves may also be challenged by way of judicial review.

Personnel

3. None

Equalities Impact

4. The Guidelines help to ensure a fair and consistent approach is taken in the consideration of all cases relating to applicants and licence-holders.

Corporate Objectives and Priorities for Change

5. The Guidelines contribute to the Council's objective of **protecting and supporting people**.