

Title of Report:	Guidance Notes on the Relevance of Criminal Records in Respect of Applicants for a Licence to Drive a Hackney Carriage or Private Hire vehicle	Item 4
Report to be considered by:	Licensing Committee	

Purpose of Report:

To propose a review of the criminal records guidance to officers used in the determining of fitness of an applicant, to drive a taxi.

Recommended Action:

To approve the revised standards as set out in the report to the Licensing Committee on 21 June 2005.

List of other options considered:

None

Key background documentation:
(*bulleted list format*)

- Existing guidance
- Corporate Policy on Criminal Records Bureau Searches as agreed by the Executive on 11 November 2004

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Supporting Information

1. Background

- 1.1 On the 21st June 2005 Members considered a report defining proposals to update the guidance used by officers in determining an application for licences to drive hackney carriages and private hire vehicles, where certain criminal convictions were declared by the Criminal Records Bureau check.
- 1.2 Members resolved that the revised standards, as set out in the report, be approved to go out to consultation with the taxi trade and others.
- 1.3 Consultation has now been carried out with no adverse comments being received from any of the parties consulted.

Appendices *(in list format)*

Appendix A – Guidance Notes on the Relevance of Criminal Records in Respect of Applicants for a Licence to Drive a Hackney Carriage or Private Hire Vehicle
Report to the Hackney carriage Sub Committee – 22 February 1993.

Appendix B – Corporate Policy on Criminal Records Bureau Searches.
Report to Executive dated 11 November 2004

Appendix C – Guidance Notes on the Relevance of Criminal Records in Respect of Applicants for a Licence to drive a Hackney Carriage or Private Hire Vehicle
Report to Licensing Committee - 21 June 2005.

Implications

Policy:	Adoption of the proposed guidance will assist in securing compliance with the Enforcement Concordat and the Public Protection Enforcement Policy. The guidance will also complement the Corporate CRB Policy in respect of applicants for a taxi driver's licence.
Financial:	None
Personnel:	None
Legal:	The guidance will reflect the changes brought about by the introduction of the Criminal records Bureau and legislation generally. A consistent approach and written policy will also assist the Council in defending any legal challenges.
Environmental:	None
Equalities:	The Corporate CRB Policy is in accordance with the Council's Equalities Policy. Further, the Enforcement Concordat and Enforcement policy (referred to above), require consistency and fairness by the Council when undertaking licensing functions.
Property:	None
Risk Management:	A written policy, widely available, will ensure that the Council's position is clear, fair and less vulnerable to challenge.

Community Safety: The guidance will ensure that as far as is possible all persons licensed to drive taxis will be fit and proper persons by virtue of being free of relevant criminal convictions.

Consultation Responses

Local Stakeholders: West Berkshire Hackney Carriage & Private Hire Operators association.

Officers Consulted: Liz Howlett, Mike Trevallion.

Trade Union: None