

**Meeting:** General Purposes Committee

Portfolio Area: Health and E Government

**Date:** 18<sup>th</sup> May 2006

**DRAFT GUIDELINES TO CONVICTIONS IN RESPECT OF HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE DRIVERS**

(Originating Service Delivery Units)

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**1 PURPOSE**

To consider draft guidelines to convictions in respect of Hackney Carriage and Private Hire Vehicle drivers.

**2 RECOMMENDATIONS**

That the Committee note the content of the proposed 'Guidelines to convictions in respect of Hackney Carriage and Private Hire Vehicle driver.'

**3 BACKGROUND**

The Council administers a Statutory Scheme for the Licensing of Hackney Carriage and Private Hire Vehicle drivers. Part of this process is to assess whether individuals are fit and proper persons to hold such licences, which involves the scrutiny of criminal records.

This assessment is undertaken by officers and referred to this Committee in the event of any concerns.

**4 REASONS FOR RECOMMENDATION AND OTHER OPTIONS CONSIDERED**

Whilst each case will continue to be considered on its merits, this Council does not have any policy guidelines to assist Members in making decisions about how prosecutions or cautions of either new applicants or existing drivers should be treated.

It is considered that this process should be as transparent as possible and for that purpose this report proposes policy guidance to address issues such as:-

- The severity of offences.
- The relevance of offences.
- The time period for which a suspension of a drivers' licence may be appropriate.

This policy has been derived from an original document issued by the Metropolitan Police and with reference to policies used by other local authorities. Having a transparent policy in respect of these issues forms part of our obligations under the Central and Local Government Concordat on Good Enforcement. It is also part of the assessment criteria for BVPI 166, the Best Value indicator for Environmental Health relating to enforcement best practice.

The Committee are invited to note the draft policy guidelines. It is proposed to formally consult trade in respect of this matter and bring a further report to Members once observations have been received. These policy guidelines will then be referred to Council for approval.

## **5 IMPLICATIONS**

### **5.1 Financial Implications**

There are no financial implications arising from this report.

### **5.2 Legal Implications**

This policy is in accordance with the Human Rights Act

### **5.3 Policy Implications**

This policy is reflective of existing enforcement policies and to requirements of the Central and Local Government Concordat on Enforcement Best Practice.

### **5.4 Other Corporate Implications**

None

## **BACKGROUND DOCUMENTS**

- Central and Local Government Concordat on Good Enforcement

## **APPENDICES**

- DRAFT Guidelines to Convictions in respect of Hackney Carriage and Private Hire Vehicle drivers