

| REPORT TO | DATE OF MEETING |
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| GENERAL LICENSING COMMITTEE | 14th April 2015 |

Report template revised July 2004



| SUBJECT | PORTFOLIO | AUTHOR | ITEM |
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| Statement of policy and guidelines relating to the relevance of convictions, simple cautions, complaints and other matters which may impact on the granting of a licence | REGENERATION, LEISURE AND HEALTHY COMMUNITIES | Niky Barrett | |

SUMMARY AND LINK TO CORPORATE PRIORITIES

A report presenting a revised policy on dealing with convictions, cautions complaints and other matters when considering the fitness and propriety of hackney carriage and private hire drivers.

RECOMMENDATIONS

The Committee consider the draft policy and approve the immediate adoption of it, subject to any amendments they may wish to make.

DETAILS AND REASONING

The General Licensing Committee has for many years relied on the Metropolitan Police guidance on the relevance of convictions to assist Members in their deliberations as to whether an applicant with convictions, is fit and proper to hold a licence.

Following a number of high profile cases involving the hackney carriage and private hire trade in recent years, Licensing Authorities across the North West have revisited their policies in respect of dealing with convictions, compliance and complaints.

AGMA (the Association of Greater Manchester Authorities) drafted a new policy that has been adopted by the 10 Greater Manchester Licensing Authorities.

The Lancashire Licensing Officers Group, which is chaired by South Ribble, is now considering the adoption of AGMA's policy across the County, to provide for a consistent approach in the North West by Licensing Authorities towards the fit and proper test.

The draft policy is attached at Appendix 1. The only notable change from the AGMA policy is the extension of the rolling period referred to on page 16, from 12 months to 18 months. This departure from the AGMA version is considered appropriate for South Ribble to reflect the scale of our proactive enforcement capabilities, in comparison with the Manchester Authorities, who are out and about on an almost daily basis assessing compliance among their trade.

The policy will provide members and officers with clear guidelines to assist them when considering whether individuals are fit and proper to hold or continue to hold drivers licences.

It will also benefit the trade and the travelling public who will be able to inform themselves about the minimum standards expected of licensed drivers and operators in South Ribble.

WIDER IMPLICATIONS

In the preparation of this report, consideration has been given to the impact of its proposals in all the areas shown below. A risk assessment has also been carried out. The table shows the implications in respect of each of these.

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| FINANCIAL | None |
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| LEGAL | Whilst the policy will be used to assist Members in their deliberations, in order to ensure that the Authority does not fetter its' discretion, the Committee may depart from the policy where they are satisfied that the merits of an individual case warrant it. All such departures and the reasons for them should be clearly documented in the decision notice. |
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| RISK | |
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| THE IMPACT ON EQUALITY | |
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| OTHER (see below) | |
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| <i>Asset Management</i> | <i>Corporate Plans and Policies</i> | <i>Crime and Disorder</i> | <i>Efficiency Savings/Value for Money</i> |
| <i>Equality, Diversity and Community Cohesion</i> | <i>Freedom of Information/ Data Protection</i> | <i>Health and Safety</i> | <i>Health Inequalities</i> |
| <i>Human Rights Act 1998</i> | <i>Implementing Electronic Government</i> | <i>Staffing, Training and Development</i> | <i>Sustainability</i> |

BACKGROUND DOCUMENTS