

To: General Purposes Sub Committee
Date: 12th October 2009 **Item No:**
Report of: Head of Environmental Development
Title of Report: Amendment to the Conditions attached to a Hackney Carriage and Private Hire Drivers Licence

Summary and Recommendations

Purpose of report: To ensure the safety of passengers of Hackney Carriage and Private Hire Vehicles

Report Approved by: Head of Environmental Development

Finance: Anna Hedges
Legal: Jeremy Franklin

Policy Framework: An authority can set any reasonable condition on a Hackney Carriage or Private Hire Licence.

Recommendation(s): To accept the recommendation in the report to amend the conditions attached to Hackney Carriage and Private Hire Vehicle driver's licences and add the condition that if a licensed driver accepts a caution by a police force that they inform the Council within 7 days.

There are no financial implications from this report

1. Since 2002 all new applicants who apply to be licensed as a Hackney Carriage or Private Hire driver have an Enhanced Criminal Records Bureau check carried out. Once a person is licensed a new check is carried out every three years. As well as convictions being recorded on a disclosure formal cautions are also recorded.
2. A formal caution can only be offered if the person accepts that he/she is guilty of the offence and agrees to accept a caution. Since December 1995, records of formal cautions for recordable offences have been held on the Police National Computer (PNC).
3. The condition attached to a driver's licence requires he/ she to give full details of any convictions of to the Council in writing within 7 days of being convicted. Currently the same requirement does not apply to formal cautions.
4. The committee are asked to amend the condition attached to a licence as set out below :

If the driver is convicted of an offence or accepts a formal caution he/she must give full details of it to the Council in writing within seven days of the conviction or acceptance of the caution.

5. The Local Government (Miscellaneous Provisions) Act 1976 provides that a local authority may impose such conditions on a driver's licence that it considers reasonably necessary.

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Background papers: None