

 Regulatory Committee 23rd September 2008		Agenda Item No.
Title	Consideration of a document "Guidance Relating to the Relevance of Convictions and Cautions"	
For further information about this report please contact	David Davies, Licensing Services Manager, Members' Services. Tel: 01926 456107. david.davies@warwickdc.gov.uk	
Service Area	Members' Services	
Wards of the District directly affected	None	
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006	NO	
Date and meeting when issue was last considered and relevant minute number	N/A	
Background Papers	None	

Contrary to the policy framework:	No
Contrary to the budgetary framework:	No
Key Decision?	No
Included within the Forward Plan? (If yes include reference number)	No

Officer/Councillor Approval		
With regard to officer approval all reports <u>must</u> be approved by the report authors relevant director, Finance, Legal Services and the relevant Portfolio Holder(s).		
Officer Approval	Date	Name
Relevant Director	12.09.2008	Robert Inman
Chief Executive		
CMT		
Section 151 Officer		
Legal	12.09.2008	Simon Best
Finance	12.09.2008	Andy Crump
Portfolio Holder(s)	12.09.2008	Councillor Kinson
Consultation Undertaken		
N/A		
Final Decision?		Yes
Suggested next steps (if not final decision please set out below)		

1. SUMMARY

- 1.1 To consider adopting the “Guidance Relating to the Relevance of Convictions and Cautions” as the Council’s policy on the consideration of the grant, suspension or revocation of hackney carriage and private hire driver, vehicle and operator licences.

2. RECOMMENDATION

- 2.1 Members are asked to consider the document attached as Appendix 1 and consider adopting it as a policy document.

3. REASONS FOR THE RECOMMENDATION

- 3.1 At present, new applications for hackney carriage/private hire licences where offences are declared and existing licence holders who commit offences, are dealt with by the Council’s Regulatory Committee.
- 3.2 The Committee refer to the existing guidance that is very vague and leads to several anomalies. These anomalies are challengeable if the driver appeals, as is their right, to the magistrates’ Court.
- 3.3 Officers feel that a more robust, slightly more prescriptive guidance could be introduced in the form a policy document. This would also help members in their difficult task of consistency, especially with reference as to whether a person is “fit and proper” to acquire, or still be able to keep their licence.
- 3.4 It is proposed that, if the policy were adopted, all new drivers would receive a copy with their application forms and existing drivers would be circulated with information on where to read it on the Council’s website. Those drivers unable to access the internet requesting a paper copy to be sent to them.
- 3.5 The current document is a more “user friendly” document and is much changed from the original which was presented before members on 1st July 2008 (Appendix 1)

4. ALTERNATIVE OPTION CONSIDERED

- 4.1 Not to adopt a policy.

5. BUDGETARY FRAMEWORK

- 5.1 This report has no budgetary considerations for the Council.

6. POLICY FRAMEWORK

- 6.1 None

7. BACKGROUND

- 7.1 None.