

For publication

Hackney Carriage and Private Hire Licensing Policy -

Meeting: Appeals and Regulatory Committee

Date: 19 October 2022

Cabinet portfolio: Health and Wellbeing

Report by: Licensing Manager

Policy Amendments

For publication

1 PURPOSE OF REPORT

1.1 To consider an amendment to the Hackney Carriage and Private Hire Licensing Policy in relation to good conduct certificates.

2.0 RECOMMENDATION

2.1 That good conduct certificates are no longer required from applicants for a taxi or private hire drivers' licence if the applicant provides acceptable answers to an agreed questionnaire on their offending history.

3.0 REASON FOR RECOMMENDATIONS

3.1 The amendment is proportionate and will not adversely affect public safety.

4.0 BACKGROUND

4.1 Under current policy, applicants from other countries are required to provide a Certificate of Good Conduct from the embassy of

every country where they have been domiciled before entering the UK.

- 4.2 Following a recent policy amendment applicants no longer have to provide a certificate of good conduct if they can show they have been resident in the UK for at least the last ten years.
- 4.3 Despite this recent change, a significant number of applicants need to appear before the committee.
- 4.4 Feedback has been given to officers that members find it difficult to exercise any real scrutiny if the applicant provides references and confirm they had not committed any criminal offences in their home country that would be an offence in the UK. In such circumstances members are unable to add to anything officers could do.
- 4.5 As an alternative, the questionnaire attached at Appendix A is proposed.
- 4.6 Appendix B shows a standard form of reference to accompany the application.
- 4.7 Irrespective of this provision, if officers have any doubts or concerns regarding the application, they can refer the matter to committee.

5.0 EQUALITIES IMPACT ASSESSMENT

- 5.1 A preliminary equalities impact assessment has been conducted and is attached at Appendix C. The conclusion was that a full assessment was not required as the proposed change to the policy will bring about positive outcomes for those people with different ethnic backgrounds.

6.0 RISK MANAGEMENT

- 6.1 A full risk management assessment has not been completed but this measure will not endanger public safety and reflects current practice.

7.0 RECOMMENDATION

- 7.1 That good conduct certificates are no longer required from applicants for a taxi or private hire drivers licence if the applicant provides acceptable answers to an agreed questionnaire on their offending history.

For more information on this report please contact Trevor Durham
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APPENDIX A



CHESTERFIELD
BOROUGH COUNCIL

**PERSONAL DECLARATION
IN LIEU OF A GOOD CONDUCT CERTIFICATE**

Name	

Date of birth	
Address	
<u>QUESTION</u>	<u>RESPONSE</u>
1. How long have you lived in the UK?	
2. What other countries have you lived in, and when?	
<p>3) Have you committed any criminal offences in another country that would be an offence in the United Kingdom?</p> <p>a) If yes, what is/are the offence(s)?</p> <p>3) (continued)</p>	
4) Can you provide the name and address of at least two referees who can vouch for your character?	<p>Details of referees.</p> <p>1)</p> <p>2)</p>

<p>5) Have you read and understood the council's hackney carriage and private hire licensing policy, particularly the parts relating to convictions and safeguarding?</p>	
<p>6) Is there anything you have done, or been accused of, that might make you unsuitable to be a taxi driver?</p>	
<p>7) What is your current job?</p>	
<p>8) Is there anything else you want to tell the council about your background?</p>	
<p>All the answers I have given above are correct as far as I know. I understand that if I have provided false details to any of the questions the council may take action that could result in the loss of my licence.</p> <p>Signed.....</p> <p>Name.....</p> <p>Date.....</p>	

APPENDIX B



CHESTERFIELD
BOROUGH COUNCIL

**PERSONAL REFERENCE
SUPPORTING AN APPLICANT WITHOUT A GOOD CONDUCT
CERTIFICATE**

Name of referee	
Address of referee	
Name of applicant for a taxi licence	
3. How long have you known the applicant?	
4. In what capacity do you know the applicant?	

5. In your own words can you assess the suitability of the applicant to be a taxi driver?

(Continue on a separate sheet if necessary)

6. In your knowledge, has the applicant committed any criminal offences in another country that would be an offence in the United Kingdom?

If yes, what is/are the offence(s)?

7. Are you aware of anything else that should prevent the applicant from becoming a taxi driver?

<p>If yes, please provide details.</p> <p>(Continue on a separate sheet if necessary)</p>	
<p>8. Have you committed any criminal offences in another country that would be an offence in the United Kingdom?</p> <p>a) If yes, what is/are the offence(s)?</p>	
<p>9. Is there anything else you want to tell us about the applicant?</p>	
<p>All the answers I have given above are correct as far as I know. I understand that if I have provided false details to any of the questions the council may take action that could result in the loss of the applicants licence.</p> <p>Signed.....</p> <p>Name.....</p> <p>Date.....</p>	

