

**EXETER CITY COUNCIL  
LICENSING COMMITTEE  
27 MARCH 2012**

**POLICY OF EXETER CITY COUNCIL IN RELATION TO THE RELEVANCE OF  
CONVICTIONS OF HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE  
DRIVERS.**

**1. PURPOSE OF THE REPORT**

- 1.1 To bring to the Committees attention the feedback from the consultation conducted between the 15 December 2011 and the 9 March 2012 relating to the draft policy presented to the Licensing Committee on the 29 November 2011 to assist in determining applications and standardising procedures relating to holders of and applicants for hackney carriage and private hire drivers licences.

**2. BACKGROUND**

- 2.1 Pursuant to section 51(1) (a) Local Government (Miscellaneous Provisions) Act 1976 the Council must satisfy itself as far as is possible that all drivers are fit and proper persons to hold a drivers licence.
- 2.2 The draft policy was circulated to the members of the Licensing Committee on the 29 November 2011 and sent out to the Hackney Carriage and Private Hire trade representatives and the Devon and Cornwall Constabulary on the 15 December 2011 stating that the closing date for the consultation would be the 9 March 2012.
- 2.3 At the close of business on the 9 March 2012 no responses had been received from any of the consultees.

**3. IMPLICATIONS FOR THE LICENSING AUTHORITY**

- 3.1 The Licensing Authority has a statutory duty to ensure Public safety is not compromised by its licensing functions and a policy such as this will reduce the potential for legal challenges to the Council if the Licensing Committee adopts clear policy in determining this aspect of fitness and propriety.

**4. FINANCIAL IMPLICATIONS**

- 4.1 The adoption of a clear policy will reduce the risk of challenges to licensing committee decisions thus reducing any financial impact.

**5. RECOMMENDATION**

- 5.1 It is recommended that the Licensing Committee adopt the policy relating to convictions.

Assistant Director Environment

ENVIRONMENT DIRECTORATE

Local Government (Access to Information) Act 1985 (as amended)

Background papers used in compiling this report:

None