

## Appendix H

### Taxi Licensing convictions policy.

**Officers have delegated authority to refuse or grant applications as indicted in each risk category. Licensing Sub Committee has delegated authority to refuse or grant the application. The delegated decision takes effect as the decision of the council, and appeal against the decision is to the Magistrate's Court.**

#### Always refuse;

- Inclusion on Sexual Offences Register
- Information included at discretion of Chief Police Officer indicating a propensity to commit sexual offences.
- Violence: Murder; terrorist offences/ causing explosions; conspiracy or incitement to commit any of above.
- Drugs Alcohol: Treatment order not completed to the satisfaction of the court.

#### Very high risk

- Violence: Manslaughter; Grievous bodily harm; causing death by dangerous driving; any assault in breach of position of care or trust;
- Dishonesty: Burglary, Theft or similar resulting in a custodial sentence
- Driving offences: Driving while disqualified by a court order, other than totting
- Drugs/Alcohol: Any sentence that includes a drug or alcohol treatment order.

Convictions: Time since sentence spent	
Not spent	Refuse
0 – 11 years	Refuse
11 years or more.	Committee with starting point: refuse

### **Serious risk**

- Offences involving drugs or alcohol: Drink Drive, importation, possession, use or supply of Class A or Class B drugs, importation or supply of class C drugs.
- Dishonesty: Burglary (non custodial sentence), theft, fraud, deception, perverting the course of justice, or similar sentenced with a fine, any theft of a vehicle or vehicle fuel, or dishonesty with vehicle or driver licence documentation.
- Violence/ public order: Actual bodily harm; any assault on a passenger; riot; banning order.
- Driving offences: Driving no insurance/ while unlicensed to drive (including driving a taxi while unlicensed as a taxi driver), illegal plying for hire, failing to stop after accident

Convictions: Time since sentence spent	
Not spent	Refuse
0 - 4 years	Refuse
4 - 8 years	Committee with starting point: refuse
8 - 12 years	Committee with starting point: grant
12 years or more:	Grant

### **Significant risk.**

- Offences involving drugs or alcohol: Possession Class C drugs, drunk and disorderly.
- Dishonesty: Theft or similar sentenced with a Conditional Discharge, failing to give information about the driver of a vehicle, giving false information, or withholding relevant information, from the Licensing Authority.
- Violence; Common assault, any offence not involving physical assault resulting in a hospital treatment order for the offender; affray, criminal damage, possession of offensive weapon, resisting arrest, obstruction of Police Officer.
- Driving offences: 9 DVLA driving licence points or more, failing to report an accident, parking on pedestrian crossing.

Convictions: Time since sentence spent DVLA Points; time since offence	
Not spent	Refuse

0 - 4 years	Committee with starting point: refuse
4 - 8 years	Committee with starting point: grant
8 years or more:	Grant

**Identifiable risk.**

- Violence: Threatening behaviour, causing harassment, alarm or distress, disorderly conduct.
- Dishonesty: Theft or similar dealt with by Fixed Penalty Notice or Police Caution or warning.
- Driving offences; 4-8 DVLA points.

Convictions: Time since sentence spent DVLA Points; time since offence	
Not spent	Refuse
0 - 4 years	Committee with no starting point
4 years or more	Grant

**Low risk – Always delegated decision to grant**

Driving offences: 3 points or less.

**More than one matter to be considered**

Where an applicant or driver has more than one conviction or other matter to be considered, that would result in Grant if based on the most recent matter only, the Licensing Officer has discretion to instead refer the matter to Licensing Sub Committee for a decision.