

ESSENTIAL REFERENCE PAPER 'A'

IMPLICATIONS/CONSULTATIONS:

<p>Contribution to the Council's Corporate Priorities/ Objectives <i>(delete as appropriate):</i></p>	<p>Priority 1 – Improve the health and wellbeing of our communities</p> <p>Priority 2 – Enhance the quality of people's lives</p> <p>Priority 3 – Enable a flourishing local economy</p>
<p>Consultation:</p>	<p><i>A 6 week consultation was carried out with every individual and business in the East Herts licensed taxi trade being contacted directly. DFT guidance recommends that a 12 week consultation should be undertaken but given the serious safeguarding implications it was felt that a shorter consultation period was justified. As the experts on crime and disorder Hertfordshire Constabulary were consulted. Independent advice of a nationally recognised licensing expert was sought at every stage.</i></p>
<p>Legal:</p>	<p><i>The Convictions Policy is open to challenge through an appeal against a decision to magistrates court or by Judicial Review.</i></p>
<p>Financial:</p>	<p><i>If the policy was challenged then there would be cost implications in defending that challenge. The new policy may slow the number of applications received for driver's licences but this will be of little impact given the numbers involved and that taxi licensing is run at cost recovery. If authority is delegated to officers there will be fewer licensing sub-committee hearings which would be a cost saving. This would have to be taken into consideration when setting the 2017-18 fees.</i></p>
<p>Human Resource:</p>	<p><i>None identified</i></p>
<p>Risk Management:</p>	<p><i>There is a risk that if we do not approve a comprehensive convictions policy an incident could happen that may have otherwise been prevented. Were this to happen then the Authority could be open to criticism similar to that aimed at Rotherham in the Casey report. Applying the new convictions policy to renewing applicants appears not to have been previously done by any other licensing authority. Although independent</i></p>

	<i>opinion was sought on the matter there is still a possibility that an appeal to magistrate's court could overturn this.</i>
Health and wellbeing – issues and impacts:	<i>By ensuring that those people licensed by East Herts are 'fit and proper' to hold a licence we can improve the health and wellbeing of individuals in East Herts. It is particularly relevant for those most vulnerable sections of the community who place their trust in the licensed taxi trade, and by default, East Herts Council.</i>