

**GUIDELINES FOR ASSESSING APPLICANTS FOR
HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS LICENCES**

Under the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975, Schedule 2 as amended by the Rehabilitation of Offenders Act 1974 (Exceptions) (Amendments) Order 2003, *taxi driver licences are listed under Excepted Licences and under Schedule 3, proceedings relating to a taxi driver licence are listed as Excepted Proceedings. This means that the Rehabilitation of Offenders Act 1974 does not apply to any person applying for a private hire or hackney carriage driver's licence on initial grant or on renewal. You are therefore required to declare every offence for which you have been convicted or received a formal caution from the Police, whether or not it is spent within the terms of the Rehabilitation of Offenders Act 1974.

* "taxi" driver is defined as both hackney carriage and private hire

When considering the effect a conviction or convictions may have on an application for a private hire or hackney carriage licence, each individual case will be decided on its own merits. The overriding consideration will be the protection of the public. In addition to their right of appeal to the Magistrates' Court under the Local Government (Miscellaneous Provisions) Act 1976, applicants will be offered an opportunity to appeal against the refusal of an application to the Council's Environment Appeals Committee.

Offences of Indecency

Applicants with unspent convictions for offences involving indecency will not normally be considered fit and proper.

Offences of Violence

Applicants with unspent convictions for offences involving violence will not normally be considered fit and proper.

Offences of Dishonesty

Applicants with unspent convictions for offences involving dishonesty will not normally be considered fit and proper.

Offences involving Drugs

Applicants with unspent convictions for offences involving drugs will not normally be considered fit and proper.

Offences of Driving Under the Influence of Alcohol or Drugs

Where a fine has been imposed, the rehabilitation period is five years. Where an applicant is convicted of this offence they will normally not be considered fit and proper until the expiry of five years.

Traffic Offences

An applicant with an unspent conviction for a serious road traffic offence will not normally be considered a fit and proper person.

Convictions During the Currency of a Licence

A current licence holder who is convicted of any offence contained within these guidelines during the course of the currency of a licence will normally have his/her licence suspended pending consideration of its revocation.