

In the Taxi Policy consultation a suggestion has been made in relation to Councils' current conviction policy for applicants who have a long history of criminal offences it has been suggested that the following paragraph is added into the conviction guidelines :-

Current wording in conviction policy:-

Amongst situations where it may be appropriate to depart from the general policy, for example, may be situations where the offence is an isolated one with mitigating circumstances or where a conviction defaults outside of the policy between the application and determination date. ~~Similarly, multiple offences or a series of offences over a period of time are likely to give greater cause for concern and may demonstrate a pattern of inappropriate behaviour, which will be taken into account. In any case which involves certain specified sexual offences, murder or manslaughter a licence will normally be refused.~~

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[To be replaced by this paragraph](#)

This policy provides a period of years free from offending in relation to the different types of offences to indicate particular situations where the Committee would not normally grant a licence in relation to applicants who have committed those particular offences. However, where the Committee receive an application from an applicant who has a 'serious criminal history' i.e. where they have had a long history of repeat and varied offending a licence will normally be refused if the Committee are not satisfied that the period stated to have been free from convictions is sufficiently proportionate to the length of offending. This is because the Committee have to be satisfied that the applicant has reformed sufficiently to become a fit and proper person. For example, if a person has committed, say, between 15 to 20 offences or more over say, a period of 15 to 30 years, and then applies to the Committee for a licence after a period of 5 years free from conviction since the last offence a licence will normally be refused.'

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SPENT CONVICTIONS

By virtue of the Rehabilitation of Offenders Act 1974 (Exemptions) (Amendment) Order 2002 taxi drivers are an exempted occupation for the purposes of the 1974 Act.

The Council will only consider spent convictions if it appears to be relevant for deciding whether the applicant is a fit and proper person to hold a licence and that justice cannot be done in the case, except by admitting or requiring evidence relating to that spent conviction.

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The second paragraph in relation to Spent Convictions will be deleted from the conviction policy as it contradicts para 13 which quotes Nottingham City Council v Farooq