

### **Consultation Response Analysis**

The Taxi & PHV Licensing – Statutory Taxi and Private Hire Vehicle Standards were published in July 2020. LA's were required to consult upon those standards with a view of implementing the measures. LA's were also advised where a decision was reached not to implement they should be clear on their reasons for not doing so.

Following permission to consult on the standards being granted on the 9 December 2020, a 12 weeks public consultation period was conducted between 21 December 2020 and 12 March 2021.

The Statutory Guidance outlines that consultees should include taxi and private hire vehicle trades, customers, groups representing disabled people, Chambers of Commerce, organisations with a wider transport interest (e.g. the Campaign for Better Transport and other transport providers), women's groups, local traders, local multi-agency safeguarding arrangements and night-time economy groups (such as Pubwatch) if the trade is an important element of dispersal from the local night-time economy's activities. All the above groups were included in the full list of consultees with whom proactive communication was undertaken during the consultation period.

Responses were received from Local Authority Staff, Councillors and Elected Members, Charities, Visually impaired groups, Licenced Drivers and Operators, Residents and customers, Police, Schools and Parents of school children, Travel organisations and IPTU.

A summary of the consultation questions and responses is given below.

#### **1 Question Asked - Enhanced DBS Checks (Standards Paragraph 4.5)**

a)The Department for Transport recommends that holders of driver licences undergo an enhanced DBS check every 6 months. This can be done by subscribing to the DBS update service with the driver giving consent to check the status of the certificate on a more frequent basis.

b)There are circumstances in which individuals are not permitted by the DBS to subscribe to the update service and they should still be subject

to an enhanced DBS check every six months. All costs to be paid by the driver

Do you support these proposals? Yes, No or Unsure

<b>Name of Group</b>	<b>Yes</b>	<b>No</b>	<b>Unsure</b>
Statutory Organisations	12	0	0
Charity and Other Organisations/Groups	10	1	1
Licensed Drivers and Operators	16	23	3
Residents/vehicle users	54	3	5
School and Parents	7	0	0
<b>Total</b>	<b>99</b>	<b>27</b>	<b>9</b>

### Summary of Comments Received

Most of the responders were in favour of the more frequent checks of DBS disclosures but were concerned with additional costs suggesting that financial help should be available. Those supporting these checks also felt that partnership working, and public safety were important. The majority who were not in favour of this proposal were licensed drivers who felt that 6-month check was excessive and that less stringent checks were done on other occupations.

## 2 Question Asked - **Basic DBS Checks (Standards Paragraph 8.2)**

The Department of Transport recommends that applicants for vehicle licences undergo an annual basic DBS check. Should the certificate contain information, this shall be considered in line with the Council's policy on consideration of disclosed criminal history. If the applicant is a company or partnership, basic DBS certificates will need to be provided for all directors and/or partners.

Do you support these proposals? Yes, No or Unsure

<b>Name of Group</b>	<b>Yes</b>	<b>No</b>	<b>Unsure</b>
Statutory Organisations	12	0	0
Charity and Other Organisations/Groups	10	1	1
Licensed Drivers and Operators	24	13	5

Residents/vehicle users	55	3	4
School and Parents include in residents and vehicle users	7	0	0
<b>Total</b>	<b>108</b>	<b>17</b>	<b>10</b>

### Summary of Comments Received

Those that supported this proposal felt that it would improve public safety and it was suggested that if it was an operator applying they should be able to use their basic DBS check submitted for their operator application. Suggestions were given from those that were either not in support of this or who were unsure that the applicant be required to submit an enhanced DBS check.

### 3 Question Asked - **Length of Licences (Standards Paragraph 3.7)**

The Department of Transport recommends that driver licences should be issued for three years, vehicle licences for one year and private hire operator licences for five years.

Any shorter licence duration should only be issued when the licensing authority thinks it is appropriate in the circumstances of the case e.g. the licence holder's leave to remain in the UK is time limited or the licence is issued to meet a short-term demand.

Do you support these proposals? Yes, No or Unsure

<b>Name of Group</b>	<b>Yes</b>	<b>No</b>	<b>Unsure</b>
Statutory Organisations	10	1	1
Charity and Other Organisations/Groups	10	0	2
Licensed Drivers and Operators	34	6	2
Residents/vehicle users	48	7	7
School and Parents	5	1	1
<b>Total</b>	<b>107</b>	<b>15</b>	<b>13</b>

## Summary of Comments Received

A lot of comments were received regarding the length of licences and that they should be shorter, but the maximum length of the licence is set by legislation not the Local Authority. Comments were received about the cost of the licences and that other Councils are cheaper. Also, the monitoring of the licences and that 5 years for an operator's licence was too long and a lot could change in that time. No comments or objections were received to the one-year vehicle licence rather than the four-month option that is currently offered.

### 4 Question Asked - **Licensee Self Reporting (Standards Paragraph 4.12)**

The Department of Transport recommends that licence holders should be required to notify the issuing authority within 48 hours of an arrest and release, charge or conviction of any sexual offence, any offence involving dishonesty or violence and any motoring offence. An arrest for any of these offences to result in a review of the licence holders suitability to hold a licence.

Do you support these proposals? Yes, No or Unsure

<b>Name of Group</b>	<b>Yes</b>	<b>No</b>	<b>Unsure</b>
Statutory Organisations	12	0	0
Charity and Other Organisations/Groups	10	2	0
Licensed Drivers and Operators	30	6	6
Residents/vehicle users	58	4	0
School and Parents	7	0	0
<b>Total</b>	<b>117</b>	<b>12</b>	<b>6</b>

## Summary of Comments Received

There were several comments stating that 48 hours to report was too long and they should report within 24 hours if not immediately. Comments were also received about agencies sharing information directly with the taxi licensing office and the effectiveness of relying on drivers to make the report.

## 5 Question Asked - **Time Spent Abroad (Standards Paragraph 4.34)**

The Department of Transport recommends that as the DBS cannot access criminal records held overseas, that where an applicant has spent three or more continuous months outside the UK, that they should provide criminal records information from that country or a "Certificate of Good Character" on their return.

Do you support these proposals? Yes, No or Unsure

<b>Name of Group</b>	<b>Yes</b>	<b>No</b>	<b>Unsure</b>
Statutory Organisations	12	0	0
Charity and Other Organisations/Groups	11	0	1
Licensed Drivers and Operators	17	19	6
Residents/vehicle users	52	6	4
School and Parents	7	0	0
<b>Total</b>	<b>99</b>	<b>25</b>	<b>11</b>

## Summary of Comments Received

Most comments received from both those that were in favour of and against this proposal raised the risk of fraud in that documents could be fake. Concern was also expressed at certificates being produced if someone was only out of the country for three months as they felt the period should be six to twelve months before being asked to supply such documentation.

## 6 Question Asked - **Complaints about Licence Holders (Standards Paragraphs 4.29 & 4.31)**

To ensure that passengers know who to complain to, details on how and who to make a complaint to should be displayed in all licensed vehicles

Do you support these proposals? Yes, No or Unsure

<b>Name of Group</b>	<b>Yes</b>	<b>No</b>	<b>Unsure</b>
Statutory Organisations	12	0	0
Charity and Other Organisations/Groups	12	0	0

Licensed Drivers and Operators	19	13	10
Residents/vehicle users	60	1	1
School and Parents	7	0	0
<b>Total</b>	<b>110</b>	<b>14</b>	<b>11</b>

## Summary of Comments Received

Concern was expressed around accessibility of notices, including where passengers are visually impaired and whether both the operator and/or the Council should be named as who to contact. Also, that there were already ways in which to make a complaint without the need to display a notice in every vehicle.

## 7 Question Asked - **Fit and Proper Test (Standards Paragraph 5.12)**

As a Licensing Authority, Sandwell Taxi Licensing have a responsibility to ensure that the person to whom a licence is granted is a fit and proper person and propose that the new definition of this as detailed below be adopted:

“Without any prejudice and based on the information before you, would you allow a person for whom you care, regardless of their condition, to travel alone in a vehicle driven by this person at any time of the day or night?”

Do you support these proposals? Yes, No or Unsure

<b>Name of Group</b>	<b>Yes</b>	<b>No</b>	<b>Unsure</b>
Statutory Organisations	11	0	1
Charity and Other Organisations/Groups	9	0	3
Licensed Drivers and Operators	33	3	6
Residents/vehicle users	48	4	10
School and Parents	5	1	1
<b>Total</b>	<b>106</b>	<b>8</b>	<b>21</b>

## Summary of Comments Received

Whilst the majority were in favour of adopting this new definition, concern was expressed regarding who this would be applied to and it was felt that this could only be applied to a driver and not to applicants for a vehicle licence or an operator's licence.

### 8 Question Asked - **Language Proficiency (Standards Paragraph 6.14)**

The Department of Transport recommend that as a lack of language proficiency could impact on a driver's ability to understand written documents, such as policy and guidance relating to the protection of children and vulnerable adults, that all licensing authorities should conduct a test that covers both oral and written English skills.

Do you support these proposals? Yes, No or Unsure

<b>Name of Group</b>	<b>Yes</b>	<b>No</b>	<b>Unsure</b>
Statutory Organisations	12	0	0
Charity and Other Organisations/Groups	9	1	2
Licensed Drivers and Operators	28	11	3
Residents/vehicle users	59	1	2
School and Parents	7	0	0
<b>Total</b>	<b>115</b>	<b>13</b>	<b>7</b>

## Summary of Comments Received

The majority of respondent's comments agreed from a customer care, safety and customer satisfaction perspective, that the driver should be able to communicate in English. There were comments regarding the type of test, how it should be conducted and to what standard. The comments suggested that the test should be appropriate to the job and should not expect the driver to be able to answer advanced maths questions nor include questions on training they may have already received e.g. safeguarding and customer care. Some comments stated that it wasn't necessary, and that it may cause a shortage of drivers and it may disadvantage those who were not good at spelling.

9 Question Asked - **Cameras in Licensed Vehicles (Standards Paragraph 7.9)**

The Department of Transport has asked that Local Authorities consider if there is a local need for the installation of CCTV in licensed vehicles. Any costs of installing cameras would be at the driver's expense.

Do you feel there is a need for CCTV cameras and do you support the installation of cameras in all licensed vehicles?

Do you support these proposals? Yes, No or Unsure

<b>Name of Group</b>	<b>Yes</b>	<b>No</b>	<b>Unsure</b>
Statutory Organisations	9	1	2
Charity and Other Organisations/Groups	8	3	1
Licensed Drivers and Operators	24	12	6
Residents/vehicle users	45	7	10
School and Parents	6	0	1
<b>Total</b>	<b>92</b>	<b>23</b>	<b>20</b>

Summary of Comments Received

Whilst most respondents were in favour of the installation of CCTV, both those that were in favour and against cited economic impact and that the Council should fund some or all of the cost of the equipment and installation. It was felt that CCTV would improve both passenger and driver safety, but issues were raised around privacy, and that CCTV should be voluntary and not mandatory and that there was not a proven need for CCTV in Sandwell.

10 Question Asked - **Booking and Dispatch Staff (Standards Paragraph 8.8)**

Licensing authorities should as a condition of granting a private hire operator's licence require a register of all staff who either take bookings or dispatch vehicles to be kept and require operators to evidence that they have had sight of a basic DBS check for these staff and this be evidenced in the register. Operators should also be required to provide their policy on employing ex-offenders in these roles.



Do you support these proposals? Yes, No or Unsure

<b>Name of Group</b>	<b>Yes</b>	<b>No</b>	<b>Unsure</b>
Statutory Organisations	11	0	1
Charity and Other Organisations/Groups	12	0	0
Licensed Drivers and Operators	29	5	8
Residents/vehicle users	57	2	3
School and Parents	7	0	0
<b>Total</b>	<b>116</b>	<b>7</b>	<b>12</b>

### Summary of Comments Received

Comments received stated that enhanced DBS checks should be carried out rather than basic DBS checks. Whilst some comments state that no DBS should be carried out as they are not driving vulnerable passengers. And that having a policy on ex-offenders was an employment issue.

### 11 Question Asked - **Operator Record Keeping (Standards Paragraph 8.13)**

Licensing Authorities should as a minimum require private hire vehicle operators to record the following information for each booking:

- The name of the passenger
- The time of the request
- The pick-up point
- The destination
- The name of the driver
- The driver's licence number
- The vehicle registration number of the vehicle
- The name of the individual that responded to the booking request
- The name of the individual that dispatched the vehicle

Do you support these proposals? Yes, No or Unsure

<b>Name of Group</b>	<b>Yes</b>	<b>No</b>	<b>Unsure</b>
Statutory Organisations	12	0	0

Charity and Other Organisations/Groups	11	0	1
Licensed Drivers and Operators	37	1	4
Residents/vehicle users	60	0	2
School and Parents	7	0	0
<b>Total</b>	<b>127</b>	<b>1</b>	<b>7</b>

### Summary of Comments Received

There was one respondent against this proposal with a small percentage who were unsure, but the majority were in favour of adoption for enforcement and evidential reasons in the case of an incident.

### 12 Question Asked - **Use of Passenger carrying vehicles (PCVs) by Private Hire Operators (Standards Paragraph 8.16)**

The use of a driver who holds a PSV licence and the use of a public service vehicle (PSV) such as a minibus to undertake a private hire vehicle booking should not be permitted as a condition of the private hire operator's licence without the informed consent of the person making the booking/hiring

Do you support these proposals? Yes, No or Unsure

<b>Name of Group</b>	<b>Yes</b>	<b>No</b>	<b>Unsure</b>
Statutory Organisations	9	0	3
Charity and Other Organisations/Groups	9	0	3
Licensed Drivers and Operators	31	0	11
Residents/vehicle users	47	4	11
School and Parents	7		
<b>Total</b>	<b>103</b>	<b>4</b>	<b>28</b>

### Summary of Comments Received

Most comments received related to customer expectation and whilst a lot of those that were unsure were because they did not understand what was being proposed. It was also suggested that as the Licensing

Authority does not regulate PSVs, how can they be expected to enforce such a condition on an operator's licence.

### 13 Question Asked - **Driver Licensing (Standards Paragraph 6.3)**

In the interests of public safety, licensing authorities should not, as part of their policies, issue a licence to any individual who appears on either of the DBS barred lists (barred from working with children or barred from working with adults)

Do you support these proposals? Yes, No or Unsure

<b>Name of Group</b>	<b>Yes</b>	<b>No</b>	<b>Unsure</b>
Statutory Organisations	11	0	1
Charity and Other Organisations/Groups	12	0	0
Licensed Drivers and Operators	37	1	4
Residents/vehicle users	60	1	1
School and Parents	7	0	0
<b>Total</b>	<b>127</b>	<b>2</b>	<b>6</b>

### Summary of Comments Received

Except for one comment, all respondents were in favour of this proposal on the grounds of public safety. The one negative comment felt that people make mistakes and that there could be circumstances that would prove the person is trustworthy.

### 14 Question Asked - **Private Hire Operators (Standards Paragraph 7.5)**

Private hire vehicle operator and vehicle licences may be applied for by a company or partnership; licensing authorities should apply the "fit and proper" test to each of the directors or partners in that company partnership. For this to be effective, private hire vehicle operators and those organisations who hold a vehicle licence should be required to advise the licensing authority of any change in directors or partners

Do you support these proposals? Yes, No or Unsure

<b>Name of Group</b>	<b>Yes</b>	<b>No</b>	<b>Unsure</b>
Statutory Organisations	11	0	1
Charity and Other Organisations/Groups	11	0	1
Licensed Drivers and Operators	30	2	10
Residents/vehicle users	59	2	1
School and Parents	7	0	0
<b>Total</b>	<b>118</b>	<b>4</b>	<b>13</b>

### Summary of Comments Received

All respondents that commented on this proposal agreed to it being introduced in the spirit of joint working and public safety.

### 15 Question Asked - **NR3 Register (Standards Paragraph 4.21)**

NR3 is a national register of taxi and private hire licence refusals and revocations. The Department of Transport ask that tools such as NR3 should be used to share information on a more consistent basis to mitigate the risk of non-disclosure of relevant information by applicants and are asking that all Local Authorities subscribe.

Do you support these proposals? Yes, No or Unsure

<b>Name of Group</b>	<b>Yes</b>	<b>No</b>	<b>Unsure</b>
Statutory Organisations	12	0	0
Charity and Other Organisations/Groups	12	0	0
Licensed Drivers and Operators	26	3	13
Residents/vehicle users	56	0	6
School and Parents	7	0	0
<b>Total</b>	<b>113</b>	<b>3</b>	<b>19</b>

### Summary of Comments Received

All comments made on this question agreed with the register being used on the grounds of joint working and public safety.

## 16 Question Asked - **Assessment of Previous Convictions** (Standards Paragraph Annex to the Standards)

The following proposed changes relate to convictions and rehabilitation periods. Where the Council's Policy meets or exceeds minimum standards, we are not consulting on changing or lowering existing standards

### **Crimes resulting in death**

Where an applicant or licensee has been convicted of a crime which resulted in the death of another person or was intended to cause the death or serious injury of another person they will not be licensed.

Do you support these proposals? Yes, No or Unsure

<b>Name of Group</b>	<b>Yes</b>	<b>No</b>	<b>Unsure</b>
Statutory Organisations	9	0	3
Charity and Other Organisations/Groups	9	1	2
Licensed Drivers and Operators	32	4	6
Residents/vehicle users	59	0	3
School and Parents	7	0	0
<b>Total</b>	<b>116</b>	<b>5</b>	<b>14</b>

### Summary of Comments Received

Whilst a lot of the comments received were in favour of a more severe penalty, most comments stated that the applicant may not have intended to kill or seriously hurt someone and that this should also be taken into consideration.

## 17 Question Asked - **Assessment of Previous Convictions** (Standards Paragraph Annex to the Standards)

The following proposed changes relate to convictions and rehabilitation periods. Where the Council's Policy meets or exceeds minimum standards, we are not consulting on changing or lowering existing standards

## Exploitation

Where an applicant or licensee has been convicted of a crime involving, relating to, or has any connection with abuse, exploitation, use or treatment of another individual irrespective of whether the victim or victims were adults or children, they will not be licensed. This includes slavery, child sexual abuse, exploitation, grooming, psychological, emotional or financial abuse, this is not an exhaustive list

Do you support these proposals? Yes, No or Unsure

<b>Name of Group</b>	<b>Yes</b>	<b>No</b>	<b>Unsure</b>
Statutory Organisations	11	0	1
Charity and Other Organisations/Groups	11	0	1
Licensed Drivers and Operators	35	1	6
Residents/vehicle users	61	0	1
School and Parents	7	0	0
<b>Total</b>	<b>125</b>	<b>1</b>	<b>9</b>

## Summary of Comments Received

Some comments received indicated that the penalty for this sort of offence should be stricter whilst others felt the circumstantial evidence should be considered. It was also suggested that advisory information provided by the DBS should also be considered even if there was no conviction.

### 18 Question Asked - **Assessment of Previous Convictions** **(Standards Paragraph Annex to the Standards)**

The following proposed changes relate to convictions and rehabilitation periods. Where the Council's Policy meets or exceeds minimum standards, we are not consulting on changing or lowering existing standards

#### **Offences involving violence against the person**

Where an applicant has a conviction for an offence of violence against the person, or connected with any offence of violence, a licence will not

be granted until at least 10 years have elapsed since the completion of any sentence imposed.

Do you support these proposals? Yes, No or Unsure

<b>Name of Group</b>	<b>Yes</b>	<b>No</b>	<b>Unsure</b>
Statutory Organisations	9	1	1
Charity and Other Organisations/Groups	12	0	0
Licensed Drivers and Operators	23	11	8
Residents/vehicle users	57	2	3
School and Parents	7	0	0
<b>Total</b>	<b>108</b>	<b>14</b>	<b>12</b>

### Summary of Comments Received

Most of the comments were indicating that there may be special circumstances/exceptions that should be considered but otherwise the comments were supportive of this proposal.

### 19 Question Asked - **Assessment of Previous Convictions** (Standards Paragraph Annex to the Standards)

The following proposed changes relate to convictions and rehabilitation periods. Where the Council's Policy meets or exceeds minimum standards, we are not consulting on changing or lowering existing standards

#### **Possession of a weapon**

Where an applicant has a conviction for possession of a weapon or any other weapons related offence, a licence will not be granted until at least seven years have elapsed since the completion of any sentence imposed

Do you support these Proposals? Yes, No or Unsure

<b>Name of Group</b>	<b>Yes</b>	<b>No</b>	<b>Unsure</b>
Statutory Organisations	9	1	2
Charity and Other Organisations/Groups	11	0	1

Licensed Drivers and Operators	30	7	5
Residents/vehicle users	52	6	4
School and Parents	7	0	0
<b>Total</b>	<b>109</b>	<b>14</b>	<b>12</b>

## Summary of Comments Received

A lot of the comments received were stating that there may be special circumstances/exceptions that should also be considered, but there were a lot of comments given that the penalty should be stricter including those who had indicated that they were either unsure or opposed to the proposal but otherwise the comments were supportive.

## 20 Question Asked - **Assessment of Previous Convictions** (Standards Paragraph Annex to the Standards)

The following proposed changes relate to convictions and rehabilitation periods. Where the Council's Policy meets or exceeds minimum standards, we are not consulting on changing or lowering existing standards

### **Sexual Offences**

Where an applicant has a conviction for any offence involving or connected with illegal sexual activity, a licence will not be granted. In addition to the above, the licensing authority will not grant a licence to any applicant who is currently on the Sex Offenders Register or on any barred list.

Do you support these proposals? Yes, No or Unsure

<b>Name of Group</b>	<b>Yes</b>	<b>No</b>	<b>Unsure</b>
Statutory Organisations	11	0	1
Charity and Other Organisations/Groups	12	0	0
Licensed Drivers and Operators	40	0	2
Residents/vehicle users	61	1	0
School and Parents	7	0	0
<b>Total</b>	<b>131</b>	<b>1</b>	<b>3</b>



## Summary of Comments Received

A lot of comments received agreed with this proposal as it supports public safety. There were a couple of comments asking that the penalty be stricter and again comments on circumstantial evidence needing to be considered. Also, that any advisory information received from the DBS should be considered even if there is no conviction.

### 21 Question Asked - **Assessment of Previous Convictions** (Standards Paragraph Annex to the Standards)

The following proposed changes relate to convictions and rehabilitation periods. Where the Council's Policy meets or exceeds minimum standards, we are not consulting on changing or lowering existing standards

#### **Dishonesty**

Where an applicant has a conviction for any offence where dishonesty is an element of the offence, a licence will not be granted until at least seven years have elapsed since the completion of any sentence imposed.

Do you support these proposals? Yes, No or Unsure

<b>Name of Group</b>	<b>Yes</b>	<b>No</b>	<b>Unsure</b>
Statutory Organisations	10	1	1
Charity and Other Organisations/Groups	11	0	1
Licensed Drivers and Operators	26	6	10
Residents/vehicle users	53	3	6
School and Parents	7	0	0
<b>Total</b>	<b>107</b>	<b>10</b>	<b>18</b>

## Summary of Comments Received

A lot of the comments received indicated that there may be special circumstances/exceptions that should be considered, but there were also comments that the penalty should be stricter, and this included those who had indicated that they were either unsure or opposed to the proposal.

## 22 Question Asked - **Assessment of Previous Convictions** (Standards Paragraph Annex to the Standards)

The following proposed changes relate to convictions and rehabilitation periods. Where the Council's Policy meets or exceeds minimum standards, we are not consulting on changing or lowering existing standards

### **Drugs**

Where an applicant has any conviction for, or related to, the supply of drugs, or possession with intent to supply or connected with possession with the intent to supply, a licence will not be granted until at least 10 years have elapsed since the completion of any sentence imposed.

Where an applicant has a conviction for possession of drugs, or related to the possession of drugs, a licence will not be granted until at least five years have elapsed since the completion of any sentence imposed. In these circumstances, any applicant may also have to undergo drugs testing for a period at their own expense to demonstrate that they are not using controlled drugs.

Do you support these proposals? Yes, No or Unsure

<b>Name of Group</b>	<b>Yes</b>	<b>No</b>	<b>Unsure</b>
Statutory Organisations	10	1	1
Charity and Other Organisations/Groups	10	0	2
Licensed Drivers and Operators	35	3	4
Residents/vehicle users	54	5	3
School and Parents	6	0	1
<b>Total</b>	<b>115</b>	<b>9</b>	<b>11</b>

### **Summary of Comments Received**

Some of the comments received indicated that there may be special circumstances/exceptions that should be considered, but most comments received felt that the penalty should be stricter. A number of those commenting were also in favour of drug testing and that the Council should have an approved tester with random tests being carried out. And that test results be shared with other partners or departments where the licence was a requirement.

## 23 Question Asked - **Assessment of Previous Convictions** (Standards Paragraph Annex to the Standards)

The following proposed changes relate to convictions and rehabilitation periods. Where the Council's Policy meets or exceeds minimum standards, we are not consulting on changing or lowering existing standards

### **Discrimination**

Where an applicant has a conviction involving or connected with discrimination in any form, a licence will not be granted until at least seven years have elapsed since the completion of any sentence imposed

Do you support these proposals? Yes, No or Unsure

<b>Name of Group</b>	<b>Yes</b>	<b>No</b>	<b>Unsure</b>
Statutory Organisations	11	0	1
Charity and Other Organisations/Groups	10	0	2
Licensed Drivers and Operators	25	10	7
Residents/vehicle users	51	4	7
School and Parents	6	0	1
<b>Total</b>	<b>103</b>	<b>14</b>	<b>18</b>

### Summary of Comments Received

A lot of the comments received were circumstantial indicating that there may be special circumstances/exceptions that should be considered, but there were also 5 comments that the penalty should be shorter and 3 that it should be stricter, this includes those who had indicated that they were either unsure or opposed to the proposal. A further comment was made that any additional information supplied by the DBS should also be taken into account when considering an application and another suggesting that there be behaviour change support and awareness training.

## 24 Question Asked - **Assessment of Previous Convictions** **(Standards Paragraph Annex to the Standards)**

The following proposed changes relate to convictions and rehabilitation periods. Where the Council's Policy meets or exceeds minimum standards, we are not consulting on changing or lowering existing standards

### **Motoring Convictions**

Hackney carriage and private hire drivers are professional drivers charged with the responsibility of carrying the public. It is accepted that offences can be committed unintentionally, and a single occurrence of a minor traffic offence would not prohibit the granting of a licence.

However, applicants with multiple motoring convictions may indicate that an applicant does not exhibit the behaviours of a safe road user and one that is suitable to drive professionally.

Any motoring convictions while a licensed driver demonstrates that the licensee may not take their professional responsibilities seriously.

However, it is accepted that offences can be committed unintentionally, and a single occurrence of a minor traffic offence may not necessitate the revocation of a taxi or private hire driver licence providing the authority considers that the licensee remains a fit and proper person to retain a licence.

Do you support these proposals? Yes, No or Unsure

<b>Name of Group</b>	<b>Yes</b>	<b>No</b>	<b>Unsure</b>
Statutory Organisations	11	0	1
Charity and Other Organisations/Groups	10	0	2
Licensed Drivers and Operators	25	9	8
Residents/vehicle users	60	0	2
School and Parents	7	0	0
<b>Total</b>	<b>113</b>	<b>9</b>	<b>13</b>

### **Summary of Comments Received**

A lot of the comments received indicated that there may be special circumstances/exceptions that should be considered, but there were comments that the penalty should be stricter. Comments included that

taxi drivers are more likely to have motoring offences given the number of miles that they travel and that they should be allowed to have a higher number of points on their licence. Public safety and sharing information with the partners were also mentioned and that it should be up to the DVSA to decide whether or not someone is permitted to drive.

## 25 Question Asked - **Assessment of Previous Convictions** (Standards Paragraph Annex to the Standards)

The following proposed changes relate to convictions and rehabilitation periods. Where the Council's Policy meets or exceeds minimum standards, we are not consulting on changing or lowering existing standards

### **Drink driving/driving under the influence of drugs**

Where an applicant has a conviction for drink driving or driving under the influence of drugs, a licence will not be granted until at least seven years have elapsed since the completion of any sentence or driving ban imposed. In the case of driving under the influence of drugs, any applicant may also have to undergo drugs testing at their own expense to demonstrate that they are not using controlled drugs.

Do you support these proposals? Yes, No or Unsure

<b>Name of Group</b>	<b>Yes</b>	<b>No</b>	<b>Unsure</b>
Statutory Organisations	11	0	1
Charity and Other Organisations/Groups	10	1	1
Licensed Drivers and Operators	36	3	3
Residents/vehicle users	56	5	1
School and Parents	6	0	1
<b>Total</b>	<b>119</b>	<b>9</b>	<b>7</b>

### Summary of Comments Received

There were four comments that called for a total ban on licensing anyone with drink or drug driving offences. Three felt that the penalty should be stricter than that being proposed and two felt that the council should offer support to help the applicant change. A suggestion was

given in the comments that drivers should be banned for a minimum of six months and a maximum of seven years.