

WEST DUNBARTONSHIRE COUNCIL

Report by the Head of Legal, Administrative and Regulatory Services

Tendering Committee – 4 August 2010

Subject: Procedures for determining suitability of applicants for Taxi Drivers' Licences

1. Purpose

- 1.1 To provide the Tendering Committee with information on the application process for licensed Taxi Drivers in relation to their suitability.

2. Background

- 2.1 At the meeting of the Tendering Committee on 26 May 2010 it was requested that the Licensing Section submit a report outlining the background checks that are conducted to establish the suitability of taxi operators when applications for licences are received.

3. Main Issues

- 3.1 The form which must be completed by anyone wishing to apply for the grant or renewal of a Taxi Driver's Licence includes a section which states:-

The Rehabilitation of Offenders Act 1974 (Exclusions and Exemptions) (Scotland) Order 2003 has the effect, for the purpose of this grant/renewal application, of rendering all previous convictions as 'live' and unable ever to be regarded as 'spent'. Please ensure that all previous convictions, including Road Traffic offences, Fixed penalties or Conditional Offers are declared.

- 3.2 Every application for the grant or renewal of a Taxi Driver's licence is then forwarded to Strathclyde Police who carry out checks on the applicant. The Police check the applicants details on the following databases:-

Criminal History System
Police National Computer
Crime Management System
Operational and Management Information Systems
Scottish Intelligence Database

- 3.2 These checks are the identical to those carried out when an application for an Enhanced Disclosure is submitted to Disclosure Scotland.

- 3.3 Strathclyde Police then return the application form to the Licensing Section stating whether they have either No Police objections, a Police representation or a Police objection.
- 3.4 When there are no Police objections to the grant or renewal of a Taxi Driver's Licence application and, assuming all other aspects of the application is in order, the licence will be granted.
- 3.5 When the Police have submitted either an objection or a representation to the grant or renewal of a Taxi Driver's Licence application then the application is reported to the Licensing Committee for determination.

4. People Considerations

- 4.1 There are no associated issues.

5. Equalities Impact

- 5.1 No significant issues were identified.

6. Financial Implications

- 6.1 There are no financial implications.

7. Risk Assessment

- 7.1 There is no increased risk to the Council associated with the contents of this report.

8. Recommendations

- 8.1 Members are asked to note the report.

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Head of Legal, Administrative and Regulatory Services

Background Papers:

Appendices: N/A.

Wards Affected: N/A.

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