

The table below provides key extracts from the Secretary of State for Transport Statutory Taxi and Private Hire Vehicle Standards published July 2020 pursuant to section 177(1) of the Policing and Crime Act 2017. The table sets out the Department for Transport's recommendations on the assessment of previous convictions and the current considerations set out in Wirral's Statement of Policy and Guidelines relating to the relevance of convictions when considering applications for Hackney Carriage and Private Hire Licences.

Item No.	Topic	Standard Paragraph No.	Key extracts from the Standards	Current Policy	Proposed Action in response to the Standards	Estimated Timescale for Action
1.		5.16 – 5.17 and Annex Assessment of Previous Convictions	<p>Annexed to the document are the Department's recommendations on the assessment of previous convictions. This draws on the work of the Institute of Licensing, in partnership with the LGA, the National Association of Licensing Enforcement Officers (NALEO) and Lawyers in Local Government, in publishing its guidance on determining the suitability of taxi and private hire vehicle licensees. These periods should be taken as a starting point in considering whether a licence should be granted or renewed in all cases. The Department's view is that this places passenger safety as the priority while enabling past offenders to sufficiently evidence that they have been successfully rehabilitated so that they might obtain a licence. Authorities are however reminded that applicants are entitled to a fair and impartial consideration of their application.</p> <p>Authorities must consider each case on its own merits, and applicants/licensees are entitled to a fair and impartial consideration</p>	Wirral currently operates a detailed policy concerning applicants / licence holders with convictions which has built into it the need for each matter to be considered on its own merits	That the details of the current Convictions Policy be amended to make it consistent with the Department's Statutory Guidance	Present a report to the Regulatory and General Purposes Committee March 2021

			<p>of their application. Where a period is given it should be taken to be a minimum in considering whether a licence should be granted or renewed in most cases. The Department's view is that this places passenger safety as the priority while enabling past offenders to sufficiently evidence that they have been successfully rehabilitated so that they might obtain or retain a licence.</p>			
2.		Annex Assessment of Previous Convictions	<p>Crimes resulting in death</p> <p>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.</p>	Will generally be refused	That the details of the current Convictions Policy be amended to make it consistent with the Department's Statutory Guidance	Present a report to the Regulatory and General Purposes Committee March 2021
3.		Annex Assessment of Previous Convictions	<p>Exploitation</p> <p>Where an applicant or licensee has been convicted of a crime involving, related 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, but this is not an exhaustive list.</p>	The current policy does not specifically address the various crimes involving exploitation (although sexual abuse crimes are covered within the section relating to Sexual Offences).	That the details of the current Convictions Policy be amended to make it consistent with the Department's Statutory Guidance	Present a report to the Regulatory and General Purposes Committee March 2021
4.		Annex Assessment of Previous Convictions	<p>Offences involving violence against the person</p> <p>Where an applicant has a conviction for an</p>	An applicant who has committed a violent offence	That the details of the current Convictions Policy be amended to make it consistent	Present a report to the Regulatory and General Purposes

			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.	will generally not be licensed until a period of at least five years has passed since either the offence or date of conviction, if a term of imprisonment was imposed, ten years free from the end of the term of imprisonment	with the Department's Statutory Guidance	Committee March 2021
5.		Annex Assessment of Previous Convictions	<p>Possession of a weapon</p> <p>Where an applicant has a conviction for possession of a weapon or any other weapon related offence, a licence will not be granted until at least seven years have elapsed since the completion of any sentence imposed.</p>	An applicant with such an offence on their record, depending on the circumstances, will generally be refused a licence for a period of at least five years	That the details of the current Convictions Policy be amended to make it consistent with the Department's Statutory Guidance	Present a report to the Regulatory and General Purposes Committee March 2021
6.		Annex Assessment of Previous Convictions	<p>Sexual offences</p> <p>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</p>	Applicants who have committed an offence at any time for indecent exposure, indecent	That the details of the current Convictions Policy be amended to make it consistent with the Department's Statutory Guidance	Present a report to the Regulatory and General Purposes Committee March 2021

			is currently on the Sex Offenders Register or on any barred list.	assault, importuning or any sexual offence, will generally not be granted a licence. Any licence holder who is registered under the sex offenders notification requirements on the Sex Offenders Register will generally not be granted a licence.		
7.		Annex Assessment of Previous Convictions	<p>Dishonesty</p> <p>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.</p>	An applicant with a dishonest offence will generally be refused a licence for a period of at least five years	That the details of the current Convictions Policy be amended to make it consistent with the Department's Statutory Guidance	Present a report to the Regulatory and General Purposes Committee March 2021
8.		Annex Assessment of Previous Convictions	<p>Drugs</p> <p>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 intent to supply, a licence will not be granted until at least 10 years have</p>	Where an applicant has committed an offence relating to the supply of drugs or cultivation of	That the details of the current Convictions Policy be amended to make it consistent with the Department's Statutory Guidance	Present a report to the Regulatory and General Purposes Committee March 2021

			<p>elapsed since the completion of any sentence imposed.</p> <p>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.</p>	<p>drugs the application will generally be refused for a period of at least 10 years. Where an applicant has committed an offence relating to the possession of drugs the application will generally be refused for a period of at least five years. If there is evidence of persistent drug use or dependency a specialist medical examination or drugs test may be required at the applicant expense</p>		
9.		Annex Assessment of Previous Convictions	<p>Discrimination</p> <p>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</p>	<p>The current policy refers to racially aggravated offences stating that applicants</p>	<p>That the details of the current Convictions Policy be amended to make it consistent with the</p>	<p>Present a report to the Regulatory and General Purposes Committee March 2021</p>

			any sentence imposed.	who have committed racially aggravated offences will generally be refused a licence for a period of five years	Department's Statutory Guidance	
10.		Annex Assessment of Previous Convictions	<p>Motoring convictions</p> <p>Drink driving/driving under the influence of drugs</p> <p>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.</p>	A person who has been disqualified from driving as a result of a conviction for drink/drug driving is likely to be refused a licence for a period of at least two years	That the details of the current Convictions Policy be amended to make it consistent with the Department's Statutory Guidance	Present a report to the Regulatory and General Purposes Committee March 2021
11.		Annex Assessment of Previous Convictions	<p>Using a hand-held device whilst driving</p> <p>Where an applicant has a conviction for using a hand-held mobile telephone or a hand-held device whilst driving, a licence will not be granted until at least five years have elapsed since the conviction or completion of any sentence or driving ban imposed, whichever is the later.</p>	The current policy does identify this offence specifically	That the details of the current Convictions Policy be amended to make it consistent with the Department's Statutory Guidance	Present a report to the Regulatory and General Purposes Committee March 2021