

Council – 15 December 2025

Taxi Licensing Policy – Amendments to Appendix B

Purpose	For Decision
Classification	Public
Executive Summary	The Convictions Policy (Appendix B) of the Taxi Licensing Policy has been amended in line with the Institute of Licencing’s Suitability Guidance. Following a public consultation, the revised Policy is recommended for adoption.
Recommendations	That the updated Appendix B of the Taxi Licensing Policy be approved.
Reasons for recommendation(s)	The Institute of Licensing has recently updated the Suitability Guidance. The Convictions Policy (Appendix B) of the Taxi Licensing Policy, which refers to this guidance, has been amended to reflect latest changes.
Ward(s)	All
Portfolio Holder(s)	Cllr Dan Poole – Community, Safety and Wellbeing
Strategic Director(s)	Peter Matthew – Strategic Director of Housing & Communities
Officer Contact	Christa Ferguson Licensing Manager 023 8028 5352 christa.ferguson@nfdc.gov.uk Joanne McClay Service Manager – Environmental and Regulation 023 8028 5325 joanne.mcclay@nfdc.gov.uk

Introduction

1. The Taxi Licensing Policy 2025 was adopted by Full Council on 24 February 2025 following an extensive review with the trade, Officers, Councillors and the public.

2. The Policy refers to guidance including that produced by the Institute of Licensing (IoL), in order to promote consistency, raise standards and assist in the protection of the public.
3. The Institute of Licensing (IoL) Suitability Guidance was originally published in 2018 and has since been revised to include information on offenders and offending, update thresholds and considerations for some offences and placed an emphasis on risk-based decision making.
4. The Licensing Authority is seeking to incorporate this updated guidance within the Taxi Licensing Policy.

Background

5. The Local Government (Miscellaneous Provisions) Act 1976 provides that a Licensing Authority must satisfy themselves, before a licence is granted, that the applicant for a driver or operator licence is a fit and proper person.
6. The Council requires an enhanced criminal records check (DBS) as part of its fit and proper person test and the Taxi Licensing Policy includes a Convictions' Policy (in Appendix B) to guide applicants and decision makers in relation to interpreting information highlighted during the application process.
7. The Convictions' Policy is based on the Institute of Licensing *Guidance on determining the suitability of applicants and licensees in the hackney carriage and private hire trades*, originally published in 2018 and revised in 2024 (**Appendix 1**).
8. The guidance is referenced in the Department for Transport's Statutory Taxi and Private Hire Vehicle Standards (2022) and both provide the basis for decision making on offences and convictions.
9. Whilst the IoL Guidance provides direction to Licensing Authorities in determining suitability of applicants, it does not remove the requirement for Licensing Authorities to adopt their own policies, which they should have regard to when making licensing determinations. As with any policy, each case must be determined on its own merits, having taken into account all the information available.
10. The Suitability Guidance was revised following extensive consultation with the taxi and private hire trade, national and local government councillors, lawyers, the Probation Service, the Police and interested charities. It has been endorsed by key bodies including Lawyers in Local Government (LLG), the National Association of Licensing and

Enforcement Officers (NALEO) and the National Anti-Fraud Network (NAFN).

11. The guidance has successfully been cited in legal proceedings where adopted by local authorities and as a stand-alone reference.

Issues for consideration

12. The key amendments to the Convictions' Policy (**Appendix 2**) include:

Section 5.0

Updated publication dates for the Suitability Guidance and Statutory Taxi and Private Hire Standards documents.

Section 5.2

Offences involving exploitation and criminal harassment includes 'stalking without violence'.

Section 5.3

Offences involving violence against persons, property or the State. Further information is included on 'fear of violence' and that a licence will never be granted where there has been an offence of violence committed against a child or vulnerable adult.

Section 5.4

Offences involving Public Order. This is a new section and states that a licence will not be granted for a period of 5 years following a public order offence.

Section 5.6

Offences involving Sex, indecency or obscene materials, which now includes 'sexual harassment'.

Section 5.9

Offences involving Alcohol Abuse, Misuse or Dependency. This is a new section which states that licences will not be granted until at least 5 years have elapsed from completing a sentence relating to drunkenness not in a motor vehicle and that medical testing or assessments may be required prior to an application being considered.

Section 5.10

Offences involving Discrimination. This section has been enhanced to include non-compliance with the Equality Act 2010 and including refusal to carry assistance dogs or to provide mobility assistance.

Section 5.11

Offences involving Regulatory non-compliance. This is a new section to address regulatory crimes which demonstrate a lack of compliance with legal requirements and whether the applicant is a safe and suitable person to hold a licence.

Section 5.15

Other motoring offences. This includes time restrictions on granting of a licence where an offence resulted in injury to a person, damage to property or an insurance offence.

Section 8.0

Behaviours. This is a new section that addresses driver behaviours which fall short of criminal behaviour but would give potential serious cause for concern, particularly for drivers with lone passengers. Where there is a pattern of repeated predatory behaviours, the applicant should not be licensed.

Corporate plan priorities

13. **Theme:**
Empowering our residents to live healthy, connected and fulfilling lives. Future New Forest. Transforming tomorrow, together.
14. **Corporate Plan Objective:**
Protect and improve the health and wellbeing of our communities.
Being financially responsible.
15. **Service Objective:**
Implementation of the Environmental and Regulation Service Plans.

Consultation

16. A consultation process took place with key stakeholders regarding the proposed amendments to Appendix B, following agreement by Members at General Purposes and Licensing Committee on 5 September 2025.
17. No responses were received during the consultation period and therefore agreement was sought from the Chairman of General Purposes and Licensing Committee for the report to go directly to Council with the recommendation to adopt the amended Appendix B in the current Taxi Licensing Policy.

Financial and resource implications

18. There will be no additional costs in adoption of changes to Appendix B.

Legal implications

19. Adoption of the guidance as a core reference document and amendments to the policy, aligns the Council's policy with national best practice and strengthens defensibility in appeals and judicial reviews.

Risk Assessment

20. A formal risk assessment is not required.

Equalities implications

21. Amendments to the policy ensure consistent and transparent decision-making to address discrimination.

Crime and disorder implications

22. Revision of the convictions policy enhances the Council's ability to protect the public from unsuitable drivers and operators.

Data protection / Information governance / ICT implications

23. There are no direct implications.

Conclusion

24. The revised Appendix B of the Taxi Licensing Policy, will strengthen the fit and proper considerations for drivers and applicants and reflect the updated Institute of Licensing Suitability Guidance.

Appendices

Appendix 1 – Institute of Licensing Suitability Guidance 2024

Appendix 2– Taxi Licensing Policy Revised Appendix B (Convictions Policy)

Background Papers:

[Appendix B \(Convictions Policy\) of the Taxi Licensing Policy with tracked changes as reported to the General Purposes and Licensing Committee on 5 September 2025](#)