

Convictions Amnesty Results

Regulatory Information

By virtue of condition 9 of the Rossendale Borough Council Hackney Carriage Driver Licence Conditions and by virtue of condition 13 of the Rossendale Borough Council Private Hire Driver Licence Conditions, a licensed driver must within 7 days, disclose to the Council, any convictions, cautions or fixed penalty notices.

The purpose of the taxi licensing regime is to protect the public and licensed drivers are expected to be persons of trust. Applicants must demonstrate that they are a 'fit and proper' person to hold such a licence. Criminal records are a major part of this process.

Background

The DVLA records of 25 randomly selected drivers were audited in April of 2007. The sample of 25 drivers comes from a population size of 250. Those audited represent 10% of the population. 7 drivers were found to have convictions, and thus, penalty points on their licence within the last 3 years. This amounts to 2.8% of the population and 28% of the sample size. 9 drivers were found to have 1 or more penalty points on their licence. This amounts to 3.6% of the population and 36% of the sample. The average number of penalty points is 6. All of the DVLA findings had not previously been declared by the driver concerned.

An internal audit of licensed drivers was conducted at around the same time as the DVLA audit in order to find drivers whom had failed to declare previous convictions. With the population of 250, 37 drivers were found to have undeclared offences. This represents 14.8% of the population.

35 drivers were found to have undeclared offences which were discovered either at the renewal stage of the licence application or through the application for a criminal record check. This represents 14% of the population and 94.6% of the sample. The remaining 2 drivers with undeclared offences are unspecified.

With 21 occurrences, SP30 (speeding offence) was the most common undeclared offence. MS90 (failure to provide information) was also found to be common with 4 occurrences.

One driver's licence was revoked by the Licensing Committee as a result of convictions obtained after the grant or renewal of the licence.

Combining the results, 62 drivers were found to have undeclared convictions and this represents 24.8% of the population.

The Amnesty

All licensed drivers were provided with an amnesty period of 28 days in which convictions, cautions and/or fixed penalty notices could be disclosed to the Council without further action against them in respect of the breach of licence conditions. The amnesty period does not protect individuals against a review of the licence by the Licensing Committee in light of convictions, cautions and/or fixed penalty tickets received since the initial grant of the licence.

Amnesty Results

The amnesty was offered to all drivers as contained on the licensing database. This represents a total of 269 drivers. Due to revoked licences remaining on the database, a 5% allowance is considered and brings the population to 256.

A total of 26 responses were received, representing a 10.1% response rate. A total of 24 offences were declared. 7 respondents declared "None".

5 licensed drivers notified of more than one conviction, caution and/or fixed penalty notice.

Disclosed offences were all minor traffic offences. The breakdown is detailed below.

Offence	Total
TS10	2
SP30	18
SP50	2
MS90	1
PC20	1

Key:

TS10 = failure to comply with traffic light signals
SP30 = speeding on a public road
SP50 = speeding on a motorway
MS90 = failure to give identity of driver, etc
PC20 = contravention of pedestrian crossing with moving vehicle

Additional Findings:

As a result of the DVLA findings, one licensed driver has failed to report two offences. Both relate to SP30 offences and a total of 6 points on the driving licence. Only one of these has been disclosed to the Council under the Amnesty provisions.