

SOUTHEND ON SEA BOROUGH COUNCIL

HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE - RELEVANT CONVICTIONS

"When submitting an application for a licence to drive a hackney carriage or private hire vehicle you are requested to declare any convictions or cautions you may have. The information you give will be treated in confidence and will only be taken into account in relation to your application.

You should be aware that this Authority is empowered in law to check with the Police for the existence and content of any criminal record held in the name of an applicant. Information received from the Police will be kept in strict confidence while the licensing process takes its course and will be retained for no longer than is necessary.

The disclosure of a criminal record or other information will not debar you from gaining a licence unless this Authority considers that the conviction renders you unsuitable. In making this decision this Authority will consider the nature of the offence, how long ago and what age you were when it was committed and any other factors which may be relevant. *[Please see pre-licensing standards on application form]*. Any applicant refused a driver's licence on the ground that he/she is not a fit and proper person to hold such a licence has a right of appeal to a Magistrates' Court.

If you would like to discuss what effect a conviction might have on your application you may telephone The Hackney Carriage Officer on (01702) 215055 in confidence for advice".

SPENT CONVICTIONS UNDER THE REHABILITATION OF OFFENDERS ACT 1974 (as amended March 2014)

Custodial sentences (adult offenders) including armed forces sentences

Sentence Length	Rehabilitation period ie:period of sentence plus the 'buffer' period below which applies from end of sentence)
6 months or less	2 years
More than 6 months up to 2 1/2 years	4 years
More than 2 1/2 years up to 4 years	7 years
More than 4 years	Never spent

Non-custodial sentences (adult offenders)

Sentence Length	'Buffer' period (applies from end of sentence)
Community Order (& Youth Rehabilitation Order)	1 year
Fine	1 year (from date of conviction)
Compensation Order	Date on which payment is made in full
Absolute discharge	None
Conditional discharge, referral order, reparation order, action plan order, supervision order, bind over order, hospital order	Period of order
Conditional Caution and Youth Conditional Caution	3 Months or when the caution ceases to have effect
Simple Caution, Youth caution	Spent immediately

It should be noted that if the offender was under 18 at the time of conviction then the above referenced periods are halved except for custodial sentences of 6 months or less where the 'buffer period' will be 18 months.