



Please reply to: Mr Steve Cox

**Community Safety**

c/o Town Hall  
Castle Circus  
TORQUAY  
Devon  
TQ1 3DR

Mr M S Bailey  
[REDACTED]

**My ref:** R:217593/SJC

**Your ref:**

**Telephone:** 01803 208025

**Website:**

**Date:** 11 May 2015

Dear Mr Bailey

**Re: Application for a Torbay Council issued Drivers Licence**

I am writing to you with regard to your application to be a licensed driver to drive Hackney Carriages and Private Hire Vehicles and your letter we received on the 5<sup>th</sup> May 2015.

Your application includes details of criminal convictions, and although the dates of the offences were in October and November 2010, your conviction was on the 21<sup>st</sup> June 2013 and it is that date that is relevant to our decision making. Our Hackney Carriage and Private Hire Licensing Policy therefore applies that in normal circumstances you would need to remain free from conviction for three years for the single conviction all be that there are two offences. I copy below the relevant part of the policy.

***Dishonesty***

- 2.1 *It is essential for the public to have trust in hackney carriage and private hire drivers. The practice of delivering unaccompanied property is indicative of the trust that business people place in licensed drivers and operators. However, there is scope for a dishonest driver to defraud a passenger by demanding more than the legal or agreed fare or by taking a longer route to a destination. Tourists and overseas visitors are particularly at risk from an unscrupulous driver. For this reason, the Licensing Authority will take a serious view of any offences involving dishonesty. The Licensing Authority will not normally consider an application until a period of at least three years free from convictions has elapsed. More than one conviction for this type of offence within the last five years will raise serious doubts about the applicant's fitness to hold a licence. In such cases, the Licensing Authority may reject the application.*
- 2.2 *In the case of a licensed driver being convicted of an offence involving dishonesty the Licensing Authority may refuse to renew, suspend or revoke the licence. If a licence is revoked, no further application will be considered until a period of at least three years free from the date of conviction of this type has elapsed.*
- 2.3 *Offences of Dishonesty include:*
- Theft
  - Burglary
  - Fraud including benefit fraud
  - Handling or receiving stolen goods
  - Forgery
  - Conspiracy to defraud

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**If you require this in a different format or language, please contact me.**

- *Obtaining money or property by deception*
- *Other deception*
- *Any similar offences of dishonesty where the conviction is less than three years prior to the date of application*

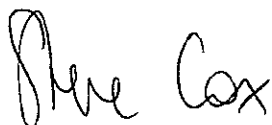
Although I am prepared to present a report to Licensing Committee/Sub-Committee, it will not be until the 11<sup>th</sup> or 18<sup>th</sup> June 2015 due to the recent elections and the subsequent administrative process subsequently required. I must also follow the requirements of the policy so I must recommend refusal.

If you are still happy to proceed then please either reply to me by email at [steve.cox@torbay.gov.uk](mailto:steve.cox@torbay.gov.uk) or send me a letter to confirm that you wish to proceed and in return I request that you keep the mornings of the two above dates in June free. I will send you a committee report and further detail nearer the time.

If you have queries then please ring Craig Noble for advice.

**Should you need to contact us please quote the reference number above.**

Yours sincerely



Mr Steve Cox  
Environmental Health Manager Commercial  
Licensing and Public Protection

*Please note that, apart from personal details subject to the Data Protection Act, information contained in this letter may be divulged to members of the public under the Freedom of Information Act 2000.*