

LICENSING REGULATORY COMMITTEE

THE INTRODUCTION OF A 3 YEAR DRIVERS LICENCE FOR HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS

5 January 2012

Report of Licensing Manager

PURPOSE OF REPORT

To ask members to approve in principle the introduction of a 3 years driver's licence for hackney carriage and private hire drivers licence and to authorise the Licensing Manager to start a consultation process with the trade.

This report is public.

RECOMMENDATIONS

That the Committee approve in principle the introduction of a 3 year driver's licence for hackney carriage and private hire drivers, subject to consultation with the trade, and authorise the Licensing Manager to look in detail at how the process would work.

1.0 Report

1.1 Members will be aware it has been the practice for many years for this Council to grant a hackney carriage, private hire and more recently a dual driver's licence for a period of one year only, with the renewal due annually.

1.2 The Local Government (Miscellaneous Provisions) Act 1976 section 53 prescribes that:-

(1) (a) Every licence granted by a district council under the provisions of this Part of this Act to any person to drive a private hire vehicle licence shall remain in force for three years from the date of such licence or for such lesser period as the district council may specify in such licence.

(b) Notwithstanding the provisions of the Public Health Act 1875 and the Town Police Clauses Act 1889, every licence granted by a district council under the provisions of the Act of 1847 to any person to drive a hackney carriage shall remain in force for three years from the date of such licence or for such lesser period as they may specify in such licence.

1.3 This Council has for many years granted the licences for a period of one year with renewal due annually on the grounds of public safety, to enable DVLA licences to be

checked for points and to ensure that convictions were declared as the CRB check is only carried out every 3 years.

1.4 With the advancement of technology it is now possible to do DVLA licence checks on line, although at the moment we do not have the facility to do this. The Licensing Manager has been in contact with companies that can provide this service at a cost of approximately £7 per check; this cost would be payable by the applicant as part of the licence fee. The online DVLA check is actually a safer way of checking for points than relying on the driver to produce a paper copy of the licence, as it is not always possible to verify the accuracy of the information on a paper copy. An annual medical and convictions declaration is signed by all drivers at the moment on renewal; it is envisaged that this requirement would still remain in place.

1.5 The Department For Transport Best Practice Guidance recommends that Councils should issue three years drivers' licences.

1.6 Officers would recommend that if members are minded to approve in principle the introduction of a three year drivers' licence, initial grants to new applicants should only be for a period of one year with any further renewals after that being for a period of three years.

2.0 Conclusion

2.1 In summary members are requested to approve in principle the introduction of a three year hackney carriage, private hire and dual driver's licence for all renewals, with a one year grant for all new applicants, and to authorise the licensing manager to start a consultation process with members of the trade. Further details about how, if approved, the new system will be implemented, and the proposed licence fee, will be presented for members' approval at a later date.

CONCLUSION OF IMPACT ASSESSMENT

(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

The proposed change does not have the potential to cause negative impact or discriminate against different groups in the community based on age, disability, gender, race/ethnicity, religion or religious belief (faith), sexual orientation, or rural isolation.

FINANCIAL IMPLICATIONS

An appropriate licence fee will be considered in due course to ensure that the Council's administration costs are recovered in accordance with the legislation. The cost for the DVLA check would be paid by the applicant.

LEGAL IMPLICATIONS

The legal implications are included in the report.

BACKGROUND PAPERS

None.

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