

REPORT TO	DATE OF MEETING
GENERAL LICENSING COMMITTEE	24th February 2015

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SUBJECT	PORTFOLIO	AUTHOR	ITEM
The Duration of Driver and Operator Licences	REGENERATION, LEISURE AND HEALTHY COMMUNITIES	Niky Barrett	6

SUMMARY AND LINK TO CORPORATE PRIORITIES

A report considering changes to the duration of Hackney Carriage and Private Hire Driver's Licences and Private Hire Operators Licences.

RECOMMENDATIONS

- 1) That from 1st April 2015 the Council will move from annual to 3 year Hackney Carriage and Private Hire Driver's Licences as follows:
 - a) Applicants for new driver's licences who meet all the Council's criteria will be issued with a 3 year licence.
 - b) Existing licensed drivers will be issued with a 3 year licence when their renewal application includes the need to provide an enhanced disclosure certificate.
 - c) Existing driver's who are not due to provide an enhanced disclosure certificate, will be given the option to continue with an annual licence until b (above), or to apply for a 3 year licence subject to the provision of a new, satisfactory, enhanced disclosure certificate.
 - d) In all cases the Licensing Authority will retain its' discretion to issue licences for a shorter period, should it consider it appropriate to do so in individual circumstances.

- 2) Operators Licences will be issued for 5 years.

DETAILS AND REASONING

The Council currently issue both driver and operator licences for 12 months under the provisions of section 53 (1) (a) and (b) and 55 (2) of the Local Government (Miscellaneous Provisions) Act 1976. The Act provides for the relevant Licensing Authority to grant driver licences for up to 3 years and Private Hire Operators Licences for up to 5 years.

Drivers are required to complete a sworn declaration of convictions each time they renew their licence and every 3 years these declarations are verified, when the Council requires sight of an enhanced disclosure certificate.

The Licensing Unit verifies licensed driver's eligibility with the DVLA every 3 years and requires drivers them to provide a group II medical certificate of fitness on first application, then every 5 years until they reach 65 years of age and thereafter every year.

The current system of annual renewals allows officers to assess the ongoing suitability of driver's every year and the fitness of vehicles every 6 months, however the workload and costs involved in sending out reminder letters and processing applications is significant, with the Licensing Unit issuing approximately 860 reminders followed by 860 Licences every year.

Changes to the management and delivery of the Council's Licensing functions in recent years have resulted in a complete review of the way in which the Councils delivers its taxi licensing service.

By moving the licence duration to 3 years the resources needed to administer renewal applications every year will be reduced. This will free up the Council's licensing officers time to undertake more pro-active regulation of the fleet.

In order to be satisfied that licensed drivers remain fit and proper throughout the 3 year period, the Licensing Authority will require licensed drivers to complete and return a sworn declaration of convictions on the 1st and 2nd anniversary of the grant of the licence.

Failure to submit the declaration without reasonable excuse, by the due date, will result in the driver being referred to the next General Licensing Committee for consideration.

As part of the Council's move to on-line applications, written invitations to renew driver licences will no longer be issued.

Every licence issued has a clear expiry date printed on the badge and counterpart licence. Drivers will be responsible for ensuring that they make their application to renew their licence in good time, including their application for an enhanced disclosure certificate and consent for checks with DVLA.

The Council will continue to require any driver who fails to renew their licence, before the expiry of their current one, to submit a new application.

The renewal requirements for general practitioners fitness certificates does not align to 3 year licences and so the Licensing Unit will continue to send reminders to drivers 6-8 weeks before existing certificates expire, where possible by electronic means. As with the convictions declarations, failure provide a valid group II medical certificate of fitness, without reasonable excuse, will result in suspension of the licence until such time as the certificate has been submitted.

The move to a 5 year Private Hire Operators Licence will increase the application fee due to varying degrees, dependant on the fleet size of individual operators.

To ease the financial burden on private hire business during the first year of the new licences, it is proposed to offer those who want it an arrangement to pay half the fee on application and the rest on the 1st anniversary of grant. This will give operators 3 years without fees in which to prepare for the full 5 year fee which will become due during the 2020/21 fiscal year.

There are no proposals at this time to alter the length of vehicle licences, which will remain at 6 months and subject to the production of a satisfactory road worthiness test report and insurance.

WIDER IMPLICATIONS

In the preparation of this report, consideration has been given to the impact of its proposals in all the areas shown below. A risk assessment has also been carried out. The table shows the implications in respect of each of these.

FINANCIAL	The move to changing from an annual renewal process to a new process of 3 years for Drivers Licences and 5 years for Operators Licences would result in a reduction in Taxi Licensing income of circa. £8,300 per annum based upon current licence renewals. This proposed reduction can be contained within the financial budget forecasts.
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LEGAL	The Council must continue to be satisfied as to the fitness as propriety of all licensed drivers, whilst ensuring that it complies with National legislation governing the licensing of the Hackney Carriage and Private Hire drivers.
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RISK	
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THE IMPACT ON EQUALITY	None
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OTHER (see below)	
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<i>Asset Management</i>	<i>Corporate Plans and Policies</i>	<i>Crime and Disorder</i>	<i>Efficiency Savings/Value for Money</i>
<i>Equality, Diversity and Community Cohesion</i>	<i>Freedom of Information/ Data Protection</i>	<i>Health and Safety</i>	<i>Health Inequalities</i>
<i>Human Rights Act 1998</i>	<i>Implementing Electronic Government</i>	<i>Staffing, Training and Development</i>	<i>Sustainability</i>

BACKGROUND DOCUMENTS

Deregulation Bill