

# WIRRAL COUNCIL

## LICENSING HEALTH AND SAFETY AND GENERAL PURPOSES COMMITTEE

25 MARCH 2015

<b>SUBJECT:</b>	<b>HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER LICENCES</b>
<b>WARD AFFECTED:</b>	<b>ALL WARDS</b>
<b>REPORT OF:</b>	<b>STRATEGIC DIRECTOR OF REGENERATION &amp; ENVIRONMENT</b>
<b>KEY DECISION?</b>	<b>NO</b>

### 1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is for Members to determine the Policy that should be applied for the granting of a new Private Hire Driver Licence to a currently licensed Hackney Carriage Driver or a new Hackney Carriage Driver licence to a currently licensed Private Hire Driver.

### 2.0 BACKGROUND AND KEY ISSUES

- 2.1 Members will be aware that before granting a Private Hire or Hackney Carriage Driver Licence the Council must be satisfied that the applicant is a fit and proper person to hold such a licence and that the person has been authorised to drive a motor car for at least 12 months.
- 2.2 The methods available to assess the fitness and propriety of an applicant are at the discretion of the Council. There is no judicially approved test of fitness and propriety.
- 2.3 The tests that this Council have determined necessary for individuals to show that they are fit and proper to hold a Private Hire or Hackney Carriage Driver Licence are as follows:
- Vocationally Related Qualification (VRQ)
  - Knowledge test
  - Driving licence
  - Satisfactory Enhanced Certificate from the Disclosure and Barring Service (DBS)
  - Satisfactory medical
- 2.4 These tests have previously been considered necessary taking into account the safety of passengers and the nature of the work undertaken by Private Hire and Hackney Carriage Drivers.
- 2.5 Drivers who are currently licensed either as a Private Hire Driver or a Hackney Carriage Driver will have satisfied the above requirements before being granted a licence, with annual checks being undertaken on their driving licence and three yearly criminal record checks with the DBS. Medical checks are also undertaken in line with Council policy.
- 2.6 Members are asked to consider that an individual who is currently licensed as a Private Hire Driver and wishes to apply for a Hackney Carriage Driver Licence or a currently licensed Hackney Carriage Driver who wishes to apply for a Private Hire Driver Licence provides different circumstances to those presented by a new applicant who has no record with the authority.

2.7 Taking into consideration the fact that a currently licensed driver will have satisfied the tests set out in paragraph 2.3 of this report it is proposed that if an application is submitted for a Private Hire or Hackney Carriage Driver Licence by a currently licensed Hackney Carriage or Private Hire Driver the licence is granted without the requirement for the driver to present a certificate from the Disclosure and Barring Service or a satisfactory Medical Certificate at that time. It is further proposed that the expiry date of that licence is set in line with their existing licence in order that the driver complies with the Council's Policy for producing updated medical certificates and certificates from the DBS for both licences concurrently.

### **3.0 RELEVANT RISKS**

3.1 There are none arising directly from this report.

### **4.0 OTHER OPTIONS CONSIDERED**

4.1 There is no provision for other options to be considered.

### **5.0 CONSULTATION**

5.1 This is not a matter which requires consultation.

### **6.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

6.1 There are no specific implications arising from this report.

### **7.0 OUTSTANDING PREVIOUSLY APPROVED ACTIONS**

7.1 There are none.

### **8.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

8.1 There are no specific implications arising from this report.

### **9.0 LEGAL IMPLICATIONS**

9.1 A decision of the Committee may be subject to legal challenge.

### **10.0 EQUALITIES IMPLICATIONS**

10.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?

No because there is no relevance to equality.

### **11.0 CARBON REDUCTION AND ENVIRONMENTAL IMPLICATIONS**

11.1 There are no specific carbon reduction implications arising from this report.

## 12.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

12.1 There are Community Safety implications as Private Hire and Hackney Carriage Drivers must be fit and proper persons when granting a licence and throughout its duration due to their involvement with the public..

## 13.0 RECOMMENDATION/S

13.1 That Members consider adopting the following policy for granting a new Private Hire or Hackney Carriage Driver Licence to a currently licensed Hackney Carriage or Private Hire Driver.

13.2 The current holder of a Hackney Carriage Driver Licence may be granted a Private Hire Driver Licence and the holder of a Private Hire Driver Licence may be granted a Hackney Carriage Driver Licence without the requirement for the applicant to produce a Disclosure and Barring Certificate or a satisfactory medical certificate other than in accordance with the requirement placed on them under their current Hackney Carriage or Private Hire Driver Licence.

13.3 The expiry date of the second licence applied for will be the same as their current Hackney Carriage or Private Hire Driver Licence and this will be the case in circumstances where the driver surrenders their existing licence.

## 14.0 REASON FOR RECOMMENDATION/S

14.1 There is currently no Policy in place for granting of a new Private Hire Driver Licence to a currently licensed Hackney Carriage Driver or a new Hackney Carriage Driver licence to a currently licensed Private Hire Driver.

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## APPENDICES

## BACKGROUND PAPERS/REFERENCE MATERIAL

## BRIEFING NOTES HISTORY

## SUBJECT HISTORY (last 3 years)

Council Meeting	Date