

# WIRRAL COUNCIL

## LICENSING HEALTH AND SAFETY AND GENERAL PURPOSES COMMITTEE

7 JULY 2015

<b>SUBJECT:</b>	<b>HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER LICENCE RENEWAL REQUIREMENTS</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 to advise Members of changes to the legislation in respect of the licensing of Hackney Carriage and Private Hire Drivers and to ask Members to consider an amendment to the requirements for the renewal of Private Hire and Hackney Carriage Driver Licences in line with these changes that come into effect from 1 October 2015.

### 2.0 BACKGROUND AND KEY ISSUES

2.1 The current requirements that must be met before an individual may be granted a Hackney Carriage or Private Hire Driver Licence are as follows:

- Vocationally Related Qualification (VRQ)
- Knowledge Test - pass
- Satisfactory driving licence
- Satisfactory enhanced certificate from the Disclosure and Barring Service (DBS)
- Satisfactory medical

2.2 The Council currently issue Private Hire and Hackney Carriage Driver Licences for a period of 12 months.

2.3 On 26 March 2015 the Deregulation Act 2015 received Royal Assent. This Act amends the Local Government (Miscellaneous Provisions) Act 1976 to require a local authority to issue Private Hire and Hackney Carriage Driver Licences for a period of three years, or such lesser period as the district council think appropriate in the circumstances of the case.

2.4 This part of the Act comes into force on 1 October 2015 and the Council will be required to issue Private Hire and Hackney Carriage Driver Licences for a period of three years from that date.

- 2.5 The current requirements that must be met before a Hackney Carriage or Private Hire Driver Licence may be renewed are as follows:
- Satisfactory driving licence
  - Satisfactory enhanced certificate from the Disclosure and Barring Service (DBS) every 3 years
  - Satisfactory medical on an annual basis from 65 years
- 2.6 On 25 March 2015 Members of the Licensing Health and Safety and General Purposes Committee resolved to amend the current medical requirement, in that medical checks are to be undertaken on initial application and thereafter every three years, with checks being undertaken annually from age 65 years. On 2 June 2015 Members further resolved that this policy is to come into effect from 1 October 2015 to be in line with the introduction of the three year Hackney Carriage and Private Hire Driver licence.
- 2.7 Members are asked to consider bringing the other requirements for the renewal of a Hackney Carriage or Private Hire Driver Licence in line with the three year licences namely:
- Satisfactory enhanced DBS certificate issued no more than 28 days prior to the renewal date
  - Satisfactory medical report in accordance with the Council's Policy for Medicals
  - Satisfactory driving record – As the Driver and Vehicle Licensing Agency no longer issue paper counterparts to driving licences, drivers are now required to provide a code to Licensing Officers in order that access may be made to their current driving record

It is proposed that drivers who are currently licensed and become due for renewal from 1 October 2015 provide evidence of the above requirements before the licence is renewed and thereafter before each 3 year renewal date.

### **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.

## **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 no Planning or Community Safety implications arising out of this report.

## **13.0 RECOMMENDATION/S**

13.1 That Members approve the following Policy in respect of the renewal of Private Hire and Hackney Carriage Driver licences to be effective for licences that become due for renewal from 1 October 2015.

An application to renew a Private Hire Driver Licence or a Hackney Carriage Driver Licence must include the following:

An enhanced Disclosure and Barring Service Certificate that has been issued no more than 28 days prior to the renewal date

A completed Medical Report in accordance with the Council's Policy for Medicals

A code from the Driver and Vehicle Licensing Agency that will allow the office to access the individual's driving record before processing the renewal application

For the avoidance of doubt an application will not be considered unless the above requirements are met on or before the renewal date. The granting of the renewal application will be subject to whether the details provided through the above documentation satisfy the requirements for the licensing of Hackney Carriage and Private Hire Drivers.

## **14.0 REASON FOR RECOMMENDATION/S**

14.1 In accordance with the requirements of The Deregulation Act 2015, from 1 October 2015, the Council will be issuing Hackney Carriage and Private Hire Driver Licences with a duration period of 3 years. It is considered appropriate and necessary to bring together the requirements for the renewal of licences in line with the dates when drivers will be issued with a 3 year licence.

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**APPENDICES**

**BACKGROUND PAPERS/REFERENCE MATERIAL**

**BRIEFING NOTES HISTORY**

**SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>