

**To the Chair and Members of the
Licensing Committee**

**Hackney Carriage and Private Hire Licensing Policy – Amendment to
Section 3.13 Duration of Drivers’ Licences**

Relevant Cabinet Member(s)	Wards Affected	Key Decision
Cllr Joe Blackham	All	No

EXECUTIVE SUMMARY

1. The Doncaster Council Hackney Carriage and Private Hire Licensing Policy (HC & PH Licensing Policy) currently restricts the option of a 3 year duration driver licence to existing licensed hackney carriage and private hire drivers who:

- have held a HC/PH licence for 2 or more years, and
- have achieved a nationally-recognised vocational qualification for the taxi and private hire trade.

In all other cases licences are issued for 12 months.

2. Whilst there are no proposed changes to the suitability test for licensed drivers, this report seeks to amend the Policy to give all licence holders the option to apply for either a 1 or 3 year licence on renewal, irrespective of the length of time they have held the licence and to remove the requirement to have achieved a nationally- recognised vocational qualification for the taxi and private hire trade.

EXEMPT REPORT

3. Not applicable

RECOMMENDATIONS

4. It is recommended that section 3.13 of the HC & PH Licensing Policy be amended as follows:

Existing:

3.13 Duration of Drivers’ Licences

Drivers’ licences are generally issued for 12 full calendar months and are required to be renewed annually thereafter.

Where a licence holder has held a licence for 2 or more years and has achieved a nationally-recognised vocational qualification for the taxi and PHV trade i.e. Level 2 NVQ Certificate in Road Passenger Vehicle Driving (Community Transport) then a 3 year licence may be applied for.

Replace the above with:

3.13 Duration of Drivers' Licences

All newly granted drivers' licences remain in force for 12 full calendar months from the date of issue.

On renewal, all licence holders are given the option of a 1 or 3 year licence.

thereby giving all licensed hackney and private hire drivers the option to renew their drivers' licence for 3 years.

BACKGROUND

5. The HC & PH Licensing Policy (the Policy) was adopted by Council on 19th January 2012. It is within the remit of the Licensing Committee to determine Policies that are relevant to the Council's functions under Part 3 of the Constitution which relate to those licensing and registration functions unless the policy must be determined by Full Council. The Policy was last revised by the Licensing Committee on the 19th September 2013.
6. The Policy (HC & PH Licensing Policy) currently restricts the option of a 3 year duration driver licence to existing licensed hackney carriage and private hire drivers who:
 - have held a HC/PH licence for 2 or more years, and
 - have achieved a nationally- recognised vocational qualification for the taxi and private hire trade.

In all other case all other case licences are issued for 12 months.

7. Section 53 of the Local Government (Miscellaneous Provisions) Act 1976 gives local authorities the flexibility to grant private hire and/or hackney carriage drivers' licences that remain in force for up to 3 years.
8. Until 2011 Doncaster Council only granted drivers' licences that remained in force for a period of 12 months. On adoption of the Policy in 2011 all drivers were given the option to apply for a 3 year licence subject to meeting the criteria referred in paragraph 6 above. Only 35% of existing drivers have taken up the option of a 3 year licence. The remaining 65% (currently 550 drivers) continue to renew their licences annually.

9. Annual renewal is burdensome to the authority and less cost effective to the licence holder. The existing fee structure is £40 for a 1 year licence and £100 for a 3 year licence. In order to increase the eligibility and take-up of the 3 year licence option it is proposed to remove the additional criteria referred to above (paragraph 6). The suitability test for all drivers (new and existing) i.e. DVLA driving licence, driving standards test, criminal record check, topographical knowledge test, medical fitness remain unchanged and will, in any case, continue to be routinely checked irrespective of the duration of the licence.
10. It is important for safety reasons that drivers should be licensed. But it is not necessarily good practice to require licences to be renewed annually. That can impose an undue burden on drivers and licensing authorities alike. 3 years is the legal maximum period and, according to the Department of Transport, is in general considered the best approach.
11. However, an annual licence may be preferred by some drivers. That may be because they have plans to move to a different job or a different area, or because they cannot easily pay the fee for a 3 year licence. The latest edition of the Department of Transport 'Taxi and Private Hire Vehicle Licensing: Best Practice Guidance' states it can be good practice to offer drivers the choice of an annual licence or a 3 year licence.
12. There are recognised advantages to encouraging drivers to obtain one of the nationally-recognised vocational qualifications for the taxi and private hire trade but it is not considered appropriate to make this a condition of the 3 year licence option. The Business Safety and Licensing team will endeavour to look at other ways of encouraging licensed drivers to obtain additional qualifications.
13. Removal of the requirement to have held a licence for 2 years before becoming eligible for the 3 year option presents no known risk as, irrespective of the duration of a licence, the Authority has the option to suspend or revoke a licence at any time should the suitability of a licence holder be brought into question.

OPTIONS CONSIDERED

14. Option 1 – Maintain existing Policy
15. Option 2 – The preferred option is to amend the Policy to give all licensed hackney carriage and private hire drivers the option of a 1 or 3 year licence on renewal.

REASONS FOR RECOMMENDED OPTION

16. The option to amend the Policy will:
 - a) facilitate a less burdensome licensing regime,
 - b) be more cost effective to the licence holders and the Council, and
 - c) have no adverse effect on the suitability criteria for licence holders and will not compromise public safety.

IMPACT ON THE COUNCIL'S KEY PRIORITIES

17. No significant impact

	Priority Outcome	Implications of this initiative
1.	Doncaster's economy develops and thrives, underpinned by effective education and skills	Less bureaucracy supports the development of Doncaster's economy
2.	Children are safe	
3.	Stronger families and stronger communities	
4.	Modernised and sustainable Adult Social Care Services with increased choice and control	
5.	Effective arrangements are in place to deliver a clean, safe and attractive local environment	Public Safety is the principal driver of PH and HC licensing
6.	The Council is operating effectively, with change embedded and sustained with robust plans in place to operate within future resource allocations	A less bureaucratic approach reduces the burden on Council resources

RISKS AND ASSUMPTIONS

18. There are no risks or assumptions

LEGAL IMPLICATIONS

19. Section 53 of the Local Government (Miscellaneous Provisions) Act 1976 states that in respect of licences for Private Hire Vehicles and Hackney Carriages, 'that any licence granted by a district council under the provisions of the Act, to any person to drive a Private Hire Vehicle or Hackney Carriage, shall remain in force for a period of 3 years from the date of such licence or for such lesser period as the district council may specify in such a licence.'
20. The Department of Transport 'Taxi and Private Hire Vehicle Licensing: Best Practice Guidance' issued in March 2010 states that it can be good practice to offer annual and three year licences on the basis that, the former offers flexibility for drivers who may wish to move away and change careers and the latter may reduce costs to drivers and local authorities.

FINANCIAL IMPLICATIONS

21. The 1 & 3 year licence income is approximately 2% and 6% respectively, of the overall annual Taxi & Private Hire Licencing income budget, (£344,030), any changes in income as a result of this report are not expected to have a material impact on this budget.

CONSULTATION

22. Not applicable

This report has no significant implications in terms of the following:

Procurement		Crime & Disorder	
Human Resources		Human Rights & Equalities	
Buildings, Land and Occupiers		Environment & Sustainability	
ICT		Capital Programme	

BACKGROUND PAPERS

23. Doncaster Council - Hackney Carriage and Private Hire Licensing Policy www.doncaster.gov.uk/taxipolicy
24. The Department of Transport 'Taxi and Private Hire Vehicle Licensing: Best Practice Guidance'

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