

**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**

<b>Relevant Cabinet Member(s)</b>	<b>Wards Affected</b>	<b>Key Decision</b>
Cllr Joe Blackham	All	No

**EXECUTIVE SUMMARY**

1. The Doncaster Council Hackney Carriage and Private Hire Licensing Policy (HC & PH Licensing Policy) currently restricts all licensed drivers to a 1 year duration licence on initial application and, thereafter, gives all licence holders the option of a 1 or 3 year duration licence.
2. Whilst there are no proposed changes to the suitability test for licensed drivers, this report seeks to amend the Policy to the effect that every licence granted to any person to drive a private hire and or hackney carriage vehicle shall remain in force for 3 years from the date of issue.

**RECOMMENDATIONS**

3. It is recommended that:
  - 3.1. Section 3.13 of the HC & PH Licensing Policy be amended as follows and that the amendment be effective from 1<sup>st</sup> January 2015:

Existing:

**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.*

Replace the above with:

**3.13 Duration of Drivers’ Licences**

*Every licence granted to any person to drive a private hire and or hackney carriage vehicle shall remain in force for 3 years from the date of issue.*

*On renewal, all licences granted shall remain in force for 3 years.*

- 3.2 The Committee note that the application fee for new private hire and / or hackney carriage drivers, applying for the first time, is to be increased from £80 to £130 to reflect the increase in duration of the licence from 1 year to 3 years (the 3 year renewal licence fee will remain the same), subject to approval by the Chief Financial Officer.

## **WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER**

4. By implementing the recommendations of this report, the licensing of private hire and hackney carriage drivers will be less burdensome on both the licence holder and the Council leading to increased value for money and helping keep licensing costs to a minimum. The safety of the travelling public of Doncaster will not be compromised by the recommendations of this report. The suitability test for all drivers (new and existing) i.e. DVLA driving licence, driving standards test, criminal record check, topographical knowledge test and medical fitness remain unchanged and will, in any case, continue to be routinely checked.

## **EXEMPT REPORT**

5. Not applicable.

## **BACKGROUND**

6. The HC & PH Licensing Policy (the Policy) was adopted by Council on 19<sup>th</sup> 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 19<sup>th</sup> December 2013.
7. The Policy (HC & PH Licensing Policy) currently restricts all new licence holders to a 1 year duration licence on initial issue and thereafter gives the option of a 1 or 3 year duration licence on renewal.
8. 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. Until 2012 Doncaster Council only granted drivers' licences that remained in force for a period of 12 months. On adoption of the Policy in 2012 all drivers were given the option to apply for a 3 year licence subject to meeting specified criteria. In 2013 the option of a 3 year duration licence was widened to make it available to all licence holders on renewal. Over 60% of licence holders now hold 3 year duration licences compared with 35% this time last year.
9. Annual licence renewal is burdensome to the Authority and less cost effective to the licence holder. For example, the existing fee structure is £50 for a 1 year licence and £100 for a 3 year licence. Furthermore,

since each application requires the licence holder to submit a new passport sized photograph, which typically cost in the region of £5, and usually involve the applicant having to visit to the Council offices then the cost advantage to the applicant of a 3 year licence is even greater. It is, therefore, proposed to issue all licences for the maximum duration of 3 years and remove the option for a 1 year duration licence. The suitability test for all drivers (new and existing) i.e. DVLA driving licence, driving standards test, criminal record check, topographical knowledge test and medical fitness remain unchanged and will, in any case, continue to be routinely checked.

10. It is obviously 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. Issuing all licences for a period of 3 years 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 AND REASONS FOR RECOMMENDED OPTION**

12. Option 1 – Maintain existing Policy
13. Option 2 – The preferred option is to amend the Policy and issue all hackney carriage and private hire drivers with a 3 year duration licence.
14. 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**

15. The main impact will be to reduce the burden on the applicant and the Authority thereby leading to an overall increase in efficiency and value for money.

	<b>Priority</b>	<b>Implications</b>
	<p>We will support a strong economy where businesses can locate, grow and employ local people.</p> <ul style="list-style-type: none"> <li>• <i>Mayoral Priority: Creating Jobs and Housing</i></li> <li>• <i>Mayoral Priority: Be a strong voice for our veterans</i></li> <li>• <i>Mayoral Priority: Protecting Doncaster's vital services</i></li> </ul>	<p>Increased efficiency and value for money of the licence.</p>

	<p>We will help people to live safe, healthy, active and independent lives.</p> <ul style="list-style-type: none"> <li>• <i>Mayoral Priority: Safeguarding our Communities</i></li> <li>• <i>Mayoral Priority: Bringing down the cost of living</i></li> </ul>	Increased efficiency and value for money of the licence.
	<p>We will make Doncaster a better place to live, with cleaner, more sustainable communities.</p> <ul style="list-style-type: none"> <li>• <i>Mayoral Priority: Creating Jobs and Housing</i></li> <li>• <i>Mayoral Priority: Safeguarding our Communities</i></li> <li>• <i>Mayoral Priority: Bringing down the cost of living</i></li> </ul>	Increased efficiency and value for money of the licence.
	<p>We will support all families to thrive.</p> <ul style="list-style-type: none"> <li>• <i>Mayoral Priority: Protecting Doncaster's vital services</i></li> </ul>	N/A
	<p>We will deliver modern value for money services.</p>	Increased efficiency and value for money of the licence.
	<p>We will provide strong leadership and governance, working in partnership.</p>	N/A

## **RISKS AND ASSUMPTIONS**

16. There are no risks or assumptions.

## **LEGAL IMPLICATIONS**

17. The legal implications are contained in the body of the report.

## **FINANCIAL IMPLICATIONS**

18. The proposed change to HC & PH Licensing Policy to remove the option of a 1 year licence renewal from 1<sup>st</sup> January 2015 is intended to be cost neutral to the Council.

19. To make the change without any other action would see licencing income reduce by an estimated £3,600 per year from 2015/16 (the timing of renewals early in the financial year means that the effect on 2014/15 is expected to be negligible). However, by increasing the new driver application fee from £80 to £130 to cover the additional two year duration of a new licence and releasing staff time to maximise income from other licencing activities taken over without additional resource (e.g. Houses of Multiple Occupation) it is estimated that this will offset the reduction.

20. The change to the new driver application will also need to take effect from 1st January 2015 rather than through the annual budget process to avoid a three month window that would allow a new application, now covering three years, to be cheaper than a renewal.

21. The proposed fee changes also fall under Financial Procedure Rule B21 and therefore require approval by the Chief Financial Officer (CFO) and to be reported to Cabinet in the quarterly Finance & Performance monitoring report. Approval is required from the CFO for these proposed changes prior to their implementation.

## **EQUALITY IMPLICATIONS**

22. There are no known equality implications. The revision to the Policy will not preclude anyone from applying for a licence or impact on any decision making process relating to the suitability of any applicant.

## **CONSULTATION**

23. The Council's Legal and Financial Teams and Portfolio Holder for Enforcement have been consulted with regard to these proposals.

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**

24. Doncaster Council - Hackney Carriage and Private Hire Licensing Policy [www.doncaster.gov.uk/taxipolicy](http://www.doncaster.gov.uk/taxipolicy)

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