



Licensing and
Regulatory Committee

1 October
2015

Matter for Information
and Decision

Title: **Additional Licence Periods for Private Hire Operators and Combined Hackney Carriage/Private Hire Drivers Licences**

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1 Introduction

The purpose of this report is to advise Members of changes in the Deregulation Act 2015 (The Act) which affects the Local Government (Miscellaneous Provisions) Act 1976 and impacts on the licence periods that combined hackney carriage/private hire drivers' licences and private hire operators' licences will be valid.

2 Recommendations

Members are asked to approve the changes to both fees and operational licence periods as follows:

PRIVATE HIRE OPERATORS LICENCE

Licence Period	Licence Fee	Discount from Annual fee	Cost over 5 years
1 year	£260.00	0%	£1,300.00
2 year	£483.00	7.2%	£1,207.50
3 year	£670.00	14.1%	£1,116.66
4 year	£820.00	21.2%	£1,025.00
<u>5 year</u>	<u>£932.00</u>	<u>28.4%</u>	<u>£932.00</u>

COMBINED HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS LICENCE

Licence Period	Licence Fee	% increase on 3 year fee	Cost over 3 years
1 year	£75.00	15.4%	£225.00
2 year	£140.00	7.7%	£210.00
<u>3 year</u>	<u>£195.00</u>	<u>0%</u>	<u>£195.00</u>

Members are also asked to approve:

1. That the Interim Team Leader, the Legal and Licensing Assistant, and the Licensing Officer be granted delegated authority to consider written requests submitted for licences to be granted for a shorter period.

2. That the default position for the issue of licences be 5 years for a private Hire Operator and 3 years for a combined drivers licence as indicated in **bold-underlined** above, with all combined drivers licence applications being subject to Disclosure and Barring Service (DBS) and Driver Vehicle Licensing Agency checks. Medicals will still be required as at present (every 6 years or annually if the applicant is over 70 years of age)
3. That the Chair, Vice Chair and a third Member be delegated to consider any objections to the proposed fee, and if appropriate, revise the proposed fees and agree an implementation date.

3 Information

The Act specifies changes which will affect the time periods for which licences will be valid. The Act states:

“Section 10 amends the Local Government (Miscellaneous Provisions) Act 1976 (“the 1976 Act”) by standardising at three years the duration of both taxi and private hire driver licences; and at five years the licence for a private hire operator. A shorter duration may be specified depending on the circumstances of the case”

Any change in licence fees for a private hire operator licence must be advertised in a local newspaper circulating in the area, and 28 days allowed from the date of the advertisement for any objections to be received to the proposed fee. If any objections are received these must be considered before any fee can be implemented. The Council must decide whether to implement the original proposed fee, or implement a revised fee, within 2 months of the end of the objection period. There is no legal requirement to advertise any change to the combined drivers licence fees and these may be implemented with immediate effect upon agreement by this Committee.

Currently all applications for a combined hackney carriage/private hire drivers’ licence are accompanied by a driver licence and criminal record check. It is possible that an applicant requests, and is approved for a 1 year licence, but, at the next renewal, for whatever reason, requests a 3 years. The Disclosure and Barring Service (DBS) and Driver Vehicle Licensing Agency (DVLA) checks would then not fall within the three year checking regime. For this reason it is recommended that a DBS and DVLA checks are submitted for every combined drivers’ licence application whatever the period of the licence applied for.

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Implications	
Equalities	No significant implications.
Financial	The Council should always try and maximise its income while bearing in mind that the Council should cover its costs for producing the licence.

Legal	There is a legal requirement to advertise any change in licence fees for a private hire operator licence and to consider and implement the proposed or revised fee within the prescribed objection period (if any).
Risk	CR6 – Regulatory governance.