

Report to:	PUBLIC PROTECTION SUB-COMMITTEE
Relevant Officer:	Mark Marshall, Head of Licensing Service
Date of Meeting	7 November 2017

AMENDMENT OF HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER'S LICENCES TO THREE YEAR DURATION

1.0 Purpose of the report:

1.1 To consider amending the duration of Private Hire and Hackney Carriage driver's licences.

2.0 Recommendation(s):

2.1 The Sub-Committee will be requested to approve the amended duration of licences.

3.0 Reasons for recommendation(s):

3.1 To alleviate the administrative burden on the Licensing Service due to issuing licences to Hackney Carriage and Private Hire drivers every 12 months.

3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.2b Is the recommendation in accordance with the Council's approved budget? Yes

3.3 Other alternative options to be considered:

The Sub-Committee could decline to amend the duration of licences. However, this is regarded as an undesirable alternative, given the continued administrative burden this would place on the Licensing Service.

4.0 Council Priority:

4.1 The relevant Council Priority is "The Economy: Maximising growth and opportunity

across Blackpool”

5.0 Background Information

5.1 The Licensing Service currently employs a system of issuing licences for 12 months and 3 years to both new and existing Hackney Carriage and Private Hire driver’s licences dependent on each applicant’s preference.

5.2 The Licensing Service currently has 600 Hackney Carriage drivers and 642 Private hire drivers licensed by the authority, of those 1242 licences 907 have been issued with a 12 month licence and 335 have been issued 3 year licences.

The administrative burden from having to issue 12 month licences is having an adverse effect on the efficiency of the service.

5.3 The Local Government (Miscellaneous Provisions) Act 1976 Part 2, Section 53 states the following in relation to the duration of Private Hire and Hackney Carriage licences:

53 - Drivers’ licences for hackney carriages and private hire vehicles.

(1)(a)Every licence granted by a district council under the provisions of this Part of this Act to any person to drive a private hire vehicle shall remain in force for three years from the date of such licence or for such lesser period as the district council may specify in such licence.

(b)Notwithstanding the provisions of the **M40** Public Health Act 1875 and the **M41** Town Police Clauses Act 1889, every licence granted by a district council under the provisions of the Act of 1847 to any person to drive a hackney carriage shall remain in force for three years from the date of such licence or for such lesser period as they may specify in such licence.

5.4 The Licensing Service does not envisage the change in licence duration as having a negative impact on public safety as criminality checks are currently administered on a 3 yearly cycle. Existing holders of drivers’ licences are required to notify the licensing authority in writing within seven days of being arrested, receiving a driving licence endorsement, fixed penalty notice or criminal conviction (including cautions). This does involve an element of trust on the part of the driver to inform the Licensing authority, however failure to disclose any information that may have a bearing on their eligibility to hold a licence is an offence in itself.

5.5 All applicants on any new or renewal application must sign a declaration to say that they have read, understood and will comply with the following:

- a) I have declared all convictions, including convictions that are considered to be spent under the Rehabilitation of Offenders Act 1974
- b) I have disclosed all pending court appearances
- c) I understand that it is a criminal offence to knowingly or recklessly give any information that I know or believe to be false.
- d) If no convictions are declared, I can confirm I have never been convicted of any offence and have no pending convictions.
- e) To the best of my knowledge and belief, that the information given herein is true. I understand that if I knowingly or recklessly make a false statement or omit any material particular, I shall be guilty of an offence.

5.6 Does the information submitted include any exempt information? No

6.0 Legal considerations:

6.1 None

7.0 Human Resources considerations:

7.1 None

8.0 Equalities considerations:

8.1 None

9.0 Financial considerations:

9.1 None

10.0 Risk management considerations:

10.1 None

11.0 Ethical considerations:

11.1 None

12.0 Internal/ External Consultation undertaken:

12.1 None

13.0 Background papers:

13.1 None