



## **TAXI AND GENERAL COMMITTEE – 29TH NOVEMBER 2018**

**SUBJECT: ALTERNATIVE PROCESS FOR ONLINE CHECKING OF DVLA DRIVER LICENCES IN RELATION TO DRIVERS OF HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES**

**REPORT BY: INTERIM CORPORATE DIRECTOR COMMUNITIES**

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### **1. PURPOSE OF REPORT**

- 1.1 That the Taxi and General Committee consider the proposals set out in the report with a view to amending the process for checking DVLA driving licence information and the associated condition of licence for Hackney Carriage / Private Hire Vehicle Drivers.

### **2. SUMMARY**

- 2.1 This report informs members of changes to the current DVLA system for on line checking of existing and prospective driver's licences in order to ensure their suitability to hold Hackney Carriage / Private Hire Vehicle Driver's licences. Any changes to current requirements would also result in an amendment to the Hackney Carriage / Private Hire Vehicle Driver's conditions and Policy.

### **3. LINKS TO STRATEGY**

- 3.1 The amended procedures and conditions of licence contribute to the following Well-being Goals within the Well-being of Future Generations Act (Wales) 2015:
- A prosperous Wales
  - A resilient Wales
  - A more equal Wales
  - A Wales of cohesive communities.

### **4. THE REPORT**

- 4.1 In 2015 the Authority introduced on line checking of existing licensed drivers and new applicants' licences after withdrawal of paper licences by the Driver and Vehicle Licensing Authority (DVLA). In December 2014, Members approved the introduction of such checks via the Driver Licence Check (DLC) service, which is accessed via a web browser and is available at all times. The checks are used to ensure suitability to hold Hackney Carriage / Private Hire Vehicle Driver's licences in line with current policies and requirements.
- 4.2 Under this system applicants sign a mandate permitting the licensing section to conduct a check on the DLC system. Signed mandates are relevant for three years and must be securely retained by the Council. A charge is raised against the Council by the DVLA per on-line check conducted. Applicants are required to pay a fee of £5.00 in respect of completion of the DLC mandate which covers the cost of up to three checks per life of the mandate and a nominal element in respect of set up costs, mandate security and administration of the system.

- 4.3 The DVLA are withdrawing the DLC system from the 1<sup>st</sup> of December 2018 and so an alternative method of verifying suitability and driving fitness is required. Some authorities have entered into agreements with a third party provider which would require similar mandates to be signed and for costs to be passed on to applicants.
- 4.4 This Authority has considered an alternative option that would not incur any cost to applicants or require a procurement process and contractual agreements with third parties. We propose that future checks are made using the free online '*View or share your driving licence information*' service which can be accessed via the GOV.UK website. This means that from December 2018 new and existing applicants would be required to share a one off generated code in order that the Licensing Authority can check their driver status without charge. The code can be generated by applicants ahead of their appointment or during the actual appointment to apply for or renew a vehicle driver licence. Officers will be able to assist prospective applicants / existing licensees with this process should they be unfamiliar or require additional IT assistance.
- 4.5 A letter was sent to the trade informing them of the reason for the change and inviting any comments on the proposal by the 14<sup>th</sup> of November. Due to the lead in times for the committee process it was not possible to include details of comments received in this report. Any comments will however be reported to Members at the meeting on the 29<sup>th</sup> of November for their consideration.
- 4.6 If Members agree to the proposal the Hackney Carriage / Private Hire Vehicle Driver's conditions of licence and Policy will need to be amended to reflect the change. The existing condition, Condition 3, requires drivers to provide the Authority with a signed DVLA Mandate within 4 weeks of a specified date. This would be replaced with a condition requiring the licensee to share their DVLA code / DVLA status with the Licensing Authority within 21 days following a request. Failure to do so will require the licensee's attendance at Licensing Committee to consider the drivers fitness to hold a Hackney Carriage / Private Hire Vehicle Drivers licence.' The latter is particularly important in the event that information is received that drivers have attained penalty points or sanction of their DVLA licence during the currency of the drivers Joint Hackney Carriage / Private Hire Vehicle Driver Licence. The proposed change of wording to the Condition is reproduced in **Appendix A**.

## **5. WELL-BEING OF FUTURE GENERATIONS**

- 5.1 This report and associated proposals contribute to the Well-being Goals as set out in Links to Strategy above. They are consistent with the five ways of working as defined within the sustainable development principle in the Act. The Council has a mandatory obligation to licence hackney carriage and private hire drivers and to ensure that they comply with all conditions and controls which may have an effect on them or the public. There is an emphasis on prevention as the process ensures that a number of checks and safeguards are in place before licences are granted, refused or revoked. The prime focus for the Council is to ensure public safety and to provide an efficient and effective licensing service.

## **6. EQUALITIES IMPLICATIONS**

- 6.1 The Council ensures that it treats all individuals and organisations who are applying for or who hold driving licences, with equal respect both when corresponding with those individuals and organisations during any licensing process. The reviewed process is applicable to all, reduces cost to the applicant and officers will assist applicants to obtain the required code if they are unable to access it themselves.

## **7. FINANCIAL IMPLICATIONS**

- 7.1 None

## **8. PERSONNEL IMPLICATIONS**

- 8.1 None, officers will complete the checks with applicants as part of the application process.

## **9. CONSULTATIONS**

- 9.1 This report has been sent to the Consultees listed below and all comments received are reflected in this report.
- 9.2 Any comments received from the trade on the proposed changes will be reported at the meeting.

## **10. RECOMMENDATIONS**

- 10.1 Members consider and approve the following:
- a. The introduction of the free online '*View or share your driving licence information*' service in place of the current DLC system from 1<sup>st</sup> of December 2018.
  - b. Amendments to the current Hackney Carriage / Private Hire Vehicle Driver's condition of licence and policy to accommodate the above as set out in Appendix B.

## **11. REASONS FOR THE RECOMMENDATIONS**

- 11.1 To enable the Licensing Authority to check and verify the suitability of drivers to hold Hackney Carriage / Private Hire Vehicle Driver's licences.

## **12. STATUTORY POWER**

- 12.1 Local Government (Miscellaneous Provisions) Act 1976.

Author: Lee Morgan, Licensing Manager.  
Consultees: Cllr Denver Preece Chair, Licensing Committee  
Cllr Julian Simmonds, Vice Chair, Licensing Committee  
Cllr Eluned Stenner, Cabinet Member for Environment and Public Protection.  
Mark S. Williams, Interim Corporate Director Communities  
Robert Hartshorn, Head of Public Protection, Community and Leisure Services  
Robert Tranter, Head of Legal Services and Monitoring Officer  
Jacqui Morgan, Trading Standards, Licensing and Registrars Manager  
Mike Eedy, Finance Manager  
James Williams, Senior Solicitor, Legal Services  
Anwen Cullinane, Senior Policy Officer (Equalities and Welsh Language)  
Shaun Watkins, HR Manager

### Background Papers:

Licensing Committee report 11 December 2014 - Introduction of online DVLA licence checks for all licensed taxi drivers

Link to View or share your driving licence information <https://www.gov.uk/view-driving-licence>

### Appendices:

Appendix A Amended Driver condition

**Extract from Existing Hackney Carriage/Private Hire Vehicle Driver licence conditions.**

Condition -3.

A signed DVLA mandate is required on the ...Date...., the mandate shall be submitted to the Licensing Office no later than 4 weeks after this date.

(Advisory - Failure to submit a signed DVLA mandate will result in the matter being placed before the next available Licensing Committee for consideration of the licensee's fitness to hold a dual licence).

***Proposed revised Condition 3. Hackney Carriage/Private Hire Vehicle Driver licence conditions.***

*The Licensee will share their DVLA code / DVLA status with the Licensing Authority within 21 days following a request. Failure to do so will require the licensees' attendance at Licensing Committee to consider the drivers fitness to hold a Hackney Carriage/Private Hire Vehicle Drivers licence.'*