

Regulation and Review Committee

28 January 2016

Present: Councillor K Osborne (Chair)
Councillors A Arkle, G Bell, D McGarr, D McMeekan, T
Mulvenna and J O'Shea.

RQ96/01/16 Apologies for Absence

Apologies for absence were submitted on behalf of Councillors A Austin, K Barrie, L Bell, N Huscroft, G Madden, J Munby, A Percy and M Reynolds.

RQ97/01/16 Substitute Members

There were no substitutes reported.

RQ98/01/16 Declarations of Interest and Dispensations

There were no declarations of interest or dispensations reported.

RQ99/01/16 Deregulation Act 2015 and Transitional Arrangements for Driver Licences

Consideration was given to a report which set out proposals for the issue of driver's licences as a result of changes brought about by the Deregulation Act 2015. This Act had amended the Local Government (Miscellaneous Provisions) Act 1976 to require local authorities to issue hackney carriage and private hire driver's licence for a 3 year period, unless there were exceptional circumstances which warranted a shorter licence period. It was noted that each application was considered taking account of the individual circumstances of the case.

The Committee was advised that under the Authority's Hackney Carriage and Private Hire Licensing Policy drivers were required to submit an enhanced disclosure from the Disclosure and Barring Service (DBS) on their first application and every three years thereafter. It was explained that the DBS check was an important measure in assessing whether or not an applicant was suitable to hold a hackney carriage or private hire driver's licence. It was explained that the introduction of a three year driver's licence had resulted in some driver's DBS checks being out of synch with the licensing period. This would increase the administrative burden of ensuring that drivers who were still licensed submitted a current DBS check at the appropriate time.

To resolve the issue drivers had been issued with a shorter term licence which would bring the licensing period into line with the DBS check timetable i.e. the licence would run until the DBS check was required. To maintain a three year driver's licence some drivers had applied for a DBS certificate before the expiry of their current one.

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The Committee was advised that there was currently a surplus in the taxi account due, in part, to an increase in the number of driver and vehicle licenses issued. It was explained that a review of fees and charges was currently being carried out. It had been suggested that some of this surplus could be used to refund the cost of DBS checks for existing drivers.

The Committee also considered representations from Mr Wilson of A2Z Licensing on behalf of Blueline Taxis, Central Taxis, East Coast Taxis and Premier Transport. He suggested that for those drivers who had renewed their driver's license which expired on or after the 1 October 2015;

- For three years and paid for a DBS Check be refunded the £44.00 DBS fee; and
- Those that renewed for only one year be given the opportunity to pay the difference, undertake a new DBS check (at the Council's expense) and have a new licence issued that expires on the third anniversary of its renewal.

Mr Snedden, on behalf of the North Tyneside Hackney Carriage Association, was permitted to address the meeting. He explained that the Association supported the issue of a three year licence and the synchronisation of the licence period with the DBS check. He also explained that a three year licence should be issued as a matter of course and a shorter licence period should only be considered in specific circumstances and on an individual case by case basis. He also explained that the Association wanted the DBS check to be free to all drivers.

Resolved that (1) the transitional arrangements whereby the DBS criminal record checks and the licence terms run concurrently be agreed;
(2) during the transitional period the authority will pay for a DBS check for those existing driver's who have 1 or 2 years to run on their current DBS check and who wish to move to a 3 year licence, subject to the driver paying the difference in licence fee.