

PUBLIC PROTECTION COMMITTEE: 1 July 2014

Report of the Head of Regulatory and Supporting Services

DRIVING LICENCE CHECKING SYSTEM

1. Background

- 1.1 The Council's Taxi Licensing Policy requires that all applicants and existing licensed drivers produce a DVLA printout when submitting their grant/ triennial renewal hackney carriage/private hire driver application.
- 1.2 The DVLA printout details the driving licence entitlements and any endorsements. The check is necessary as recent endorsements may not be stated on the driver's DVLA licence (photo card or paper counterpart).
- 1.3 The Council's Licensing Section has now agreed a contractual arrangement with the DVLA for access to its online Driver Licence Checking (DLC) system so that drivers' entitlements and endorsements can be checked by the Licensing Section without the applicant needing to obtain the printout from the DVLA. This report is to provide further details of the DLC system.

2. Details.

- 2.1 Under the Local Government (Miscellaneous Provisions) Act 1976 the Licensing Authority shall not grant/renew a hackney carriage or private hire driver's licence unless it is satisfied that the applicant/driver is a fit and proper person to hold such a licence.
- 2.2 The DVLA printout assists the Licensing Authority's in ensuring that applicants/drivers are a fit and proper person by providing details of driving entitlements and any endorsements. The check ensures that all applications are considered in accordance with the Council's taxi Licensing Policy with regards to motoring convictions, which aims to protect the safety of the travelling public.
- 2.3 When driving offences are committed, the details are not present on the driver's DVLA licence photocard or paper counterpart until the licence is sent back to the DVLA to be updated. The DVLA printout reflects the current position of a driver's licence including any endorsements that are yet to be added to the physical licence.

- 2.4 Traditionally many drivers have chosen to drive to the DVLA offices in Swansea to obtain their printout, but the DVLA has stopped this service and drivers must now apply to the DVLA by post.
- 2.5 Although the Licensing Section has written to drivers explaining the changes at the DVLA, many drivers are not obtaining their DVLA printout in time to renew their hackney carriage/private hire driver's licence on time. The consequence of this is an increased burden placed upon Licensing staff having to chase up applicants to bring in their printout, and drivers having to make an additional trip to the Public Carriage Office (PCO) if their documents do not arrive in time for their renewal application.
- 2.6 In order to assist drivers, speed up the licensing process and in the interests of public safety, the Licensing Section has purchased the DLC system from the DVLA.

3. Details of DLC System

- 3.1 The DLC system allows Licensing Officers to perform an online check of a driver's DVLA licence to show driving entitlements and any endorsements.
- 3.2 Before any checks can be made, drivers will need to sign a mandate giving their permission for the Licensing Section to undertake the checks in a 3 year period. No checks will be made unless the mandate is signed.
- 3.3 The DLC is a web based system that displays instant results of "real-time" driver's records. The system is accessible 24 hours a day, 7 days a week
- 3.4 Many local authorities already conduct web-based checks either through the DVLA's DLC system or via third party companies.
- 3.5 The DLC system will speed up the grant and renewal process for drivers, as drivers will not have to apply for their printouts in advance of their application, and will not be required to go back to the Public Carriage Office (PCO) once they receive their printout. The checks are performed at the time the application is made at the PCO. It will also mean that staff do not need to spend time photocopying driving licences for the files.
- 3.6 The system will also significantly reduce the burden on Licensing staff having to chase up and monitor applicants to ensure they bring in their printouts
- 3.7 There also public protection benefits as the system provides greater certainty that an applicant/driver is a 'fit and proper' person as the live status of the DVLA licence is displayed and there is no possibility that a driver has received an endorsement after they have received their printout and submitted it to the Licensing Section.

4. Change to Renewal Procedure

- 4.1 The Licensing Section has come across a number of instances when a driver's DVLA licence has not matched their DVLA print-out. There have also been instances where drivers possess more than one licence with different addresses.
- 4.2 In order to ensure that an accurate check of a driver's current driving entitlement and endorsements is undertaken it is proposed to introduce the check with every annual renewal as opposed to the current process of checking DVLA print-outs on triennial applications.

5. Consultation

- 5.1 The trade consultation procedure was undertaken in accordance with the consultation procedure on any policy matters. The draft reports intended for consideration were made available at the licensing offices for any interested party to provide written submissions.

6. Achievability

This report contains no equality personnel or property implications.

7. Legal Implications

- 7.1 Under the Local Government (Miscellaneous Provisions) Act 1976 the Licensing Authority shall not grant/renew a hackney carriage or private hire driver's licence unless it is satisfied that the applicant/driver is a fit and proper person to hold such a licence.
The DVLA printout assists the Licensing Authority in assessing whether an applicant/driver is a fit and proper person.
- 7.2 All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. standing orders and financial regulations; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances

8. Financial Implications.

- 8.1 Drivers currently pay the DVLA £5 for a printout. The Council will be charged £1 by the DVLA for each check conducted.
- 8.2 We intend to fully recover the costs of the DLC system and checks. The total cost (including officer time & DVLA fee) for performing the checks will be £2.10 per application.
- 8.3 It is intended that the £2.10 charge will be charged separately on application prior to the grant/renewal of the driver's licence. The charge will be incorporated into the driver's grant and renewal fee when the fees are set in 2015/16, and any efficiency savings made in 2014/15 brought about by the implementation of the DLC system will be taken account of in the 2015/16 fees.

9. Recommendation

- 9.1 It is recommended that the Committee approve the use of the DLC system and approve the procedural change of annual DVLA checks for all drivers

Dave Holland

20 April 2014

HEAD OF REGULATORY AND SUPPORTING SERVICES

This report has been prepared in accordance with procedures approved by Corporate Managers.

Background Papers: None