

TRANSFER OF A DRIVERS LICENCE TO A DUAL BADGE

Submitted by: **Head of Environmental Health Services**

Ward(s) affected: **All**

Purpose of the Report

To remind committee of the administrative process introduced in April 2016 which, on the formal application of a licenced driver, transfers an existing driver's licence to a dual badge and request committee approval to temporarily suspend this activity.

Recommendations

- a. That the Council temporarily suspends the activity of transferring existing driver's private hire, hackney carriage or both drivers badges into a dual licence with immediate effect until 1st April 2017
- b. That the Council only processes full applications for dual drivers badges.
- c. That valid applications received by the date of a decision will continue to be processed.
- d. That further updated reports be presented to committee as necessary.

Reasons

In April 2016, the Council stopped issuing separate private hire and hackney carriage drivers licences and all applications considered are now for a dual (both private hire and hackney carriage) badge.

As part of this change a driver could apply for the transfer of their existing driver's badge to a dual badge. The demand for the transfer of badges is high and the administrative work involved is akin to a full application.

1. Background

- 1.1 In April 2016, the Council stopped issuing separate private hire and hackney carriage drivers licences and all new and renewal applications considered are for a dual badge (both private hire and hackney carriage).
- 1.2 As part of this change, a driver can apply for the transfer of their existing driver's badge to a dual badge. A minimal application form was developed for this process and the charge set for the transfer of the badge was £30.
- 1.3 The administrative work involved is akin to a full application.

2. Issues

- 2.1 It has been identified that to correctly administer the transfer of a single badge to a dual badge is not simply the reproduction of a new badge for the driver. The administrative process involved is akin to a full new application, as the officer has to ensure that the driver has all the specific requirements in place to ensure that they are fit and proper persons to be issued with the new licence.
- 2.2 The transfer process relies upon information provided in connection with the previous individual application made, some of which at the time of the transfer can be up to 3 years

old and could have significantly changed since the time of application, such as driving licence endorsements or criminal convictions. The driver has a duty to notify the Council of any of these convictions, however this does not always happen and therefore the Council runs the risk that it may issue a licence on out of date information. The only way to safeguard against this risk is to require a full application for all licence applications.

- 2.3 Since the introduction of the dual badge system the demand for new dual badges remains high but also the demand for the transfer of driver licenses to the dual badge is higher than anticipated and this is placing an unexpected administrative burden on the service.
- 2.4 The transfer of a private hire or hackney carriage licence to a dual licence is a discretionary function, whereas the Council has a duty to process full valid applications.
- 2.5 It is considered that the transfer of an existing driver's licence to a dual badge under the current scheme should be temporarily suspended until 1st April 2017 pending a further review, but should a driver wish to hold a full dual badge then a full application can continue be made for a full 3 year licence (which for an existing driver will mean the surrender of his current licence in favour of the granting of a dual one).

3. **Options Considered**

- 3.1 There are a number of options that could be considered, these include:
 - a) Do nothing – continue to accept and process transfer to dual badge applications
 - b) Cease the transfer to dual driver badges
 - c) Cease the transfer to dual driver badges for a limited period of time
 - d) Temporarily suspend the transfer of dual badges for a limited period of time

4. **Recommendation**

- 4.1 Officers have considered the options available and recommend that:
 - a) That the Council temporarily suspend the activity of transferring existing drivers private hire, hackney carriage or both drivers badge into a dual licence with immediate effect until 1st April 2017
 - b) That the Council will only process full applications for dual drivers badges.
 - c) That valid applications received by the date of a decision to continue to be processed.
 - d) That further updated reports be present to committee as necessary.
- 4.2 Should members wish to consider alternative options these are detailed in section 3.1.

5. **Decision Required**

That the committee consider the information presented in the report, and institute appropriate action to protect the public.

6. **Financial and Resource Implications**

Licence fees are set on the basis of full cost recovery.

7. **Links to Corporate Priorities**

In line with the Council's objectives –

- (a) Promoting a cleaner, safer and sustainable Borough
- (b) Promoting a Borough of Opportunity

8. **Reasons for the Preferred Option**

To ensure that the council continue to provide safe transport for those wishing to use private hire and Hackney Carriage vehicles.

9. **Human Rights**

Article 6(1) guarantees an applicant a fair hearing
Article 14 guarantees no discrimination

10. **Earlier Cabinet/Committee Resolutions**

- 10.1 The Public Protection Committee has previously agreed the 2016/17 fees and charges which detail this service.