



Walsall Council

REPORT OF THE HEAD OF PUBLIC PROTECTION TO A MEETING OF THE LICENSING AND SAFETY COMMITTEE

WEDNESDAY 23RD JANUARY 2008

REPORT ON

PERIOD OF DRIVING EXPERIENCE REQUIRED BEFORE BEING ALLOWED TO APPLY FOR A LICENCE

1. PURPOSE OF REPORT

- 1.1 To place before Committee a report concerning the period required for holding a DVLA licence by any applicant for a private hire drivers licence be increased from one to two years.

2. RECOMMENDATION

- 2.1 Committee is recommended to consider the report and make such amendment to the criteria and conditions attached to the grant of such licence as they consider necessary.

3. FINANCIAL IMPLICATIONS

- 3.1 Within budget: Yes.

4. POLICY IMPLICATIONS

- 4.1 Within Council Policy: Not applicable.

5. LEGAL IMPLICATIONS

- 5.1 Legal Services Consulted: Yes
- 5.2 Section 51 Of the Local government (Miscellaneous Provisions) Act 1976 permits the council to attach to the grant of a licence such conditions as they may consider reasonably necessary.

- 5.3 The Human Rights Act has been considered and the Council can impose reasonable conditions to protect members of the public. The proposed conditions would fall within this criteria.

6. EQUAL OPPORTUNITIES IMPLICATIONS

- 6.1 All applications are treated on merit.

7. ENVIRONMENTAL IMPACT

- 7.1 None.

8. WARD(S) AFFECTED

- 8.1 All.

9. CONSULTEES

- 9.1 None.

10. CONTACT OFFICER

- 10.1. Bruce Corlett – Licensing and Enforcement Officer. Ext. 2682

11. BACKGROUND

- 11.1 Members of the Licensing Sub Committees who hear applications for private hire licences and also consider complaints against existing drivers have raised concern over the large number of applicants/drivers who, having recently passed their DVLA driver test, have accrued a disproportionate number of penalty points on their DVLA driver's licences.
- 11.2 Members asked that enquiries be made from other local authorities concerning this issue and what conditions/criteria might be considered /implemented to improve the standards of any applicant.
- 11.3 The Act requires that applicants must have held a full DVLA driver's licence for a minimum period of 12 months before they can apply for a private hire driver's licence. Members can vary this period.
- 11.4 Other Authorities within the West Midlands have been surveyed and these are the results:

Authority	Time required holding DVLA licence before application considered	Minimum age limit Before being application considered
Walsall	12 months	No age limit
Wolverhampton	12 months (under consideration)	No age limit
Birmingham	2 years	No age limit
Sandwell	2 years	21 years minimum (under consideration)
Dudley	12 months	No age limit

11.5 The Councils that do require a longer period for any applicant to have held a DVLA driver licence have stated that the applicants do appear to be better drivers for the extra experience gained