

REPORT OF GENERAL PURPOSES AND LICENSING COMMITTEE

(Meeting Held On 12 July 2002)

1. HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE DRIVER LICENSING – TEMPORARY CHANGES TO THE ADMINISTRATION AND ISSUE OF DRIVER LICENCES (REPORT A) (MINUTE NO 11)

Prior to March 2002, the Council's Licensing Officer used to make application to the headquarters of the Hampshire and Isle of Wight Constabulary at Winchester in order to make criminal record checks on applicants for hackney carriage and private hire vehicle driver licences. This system worked very well and the response time from the police was approximately two weeks.

However, in March 2002, the Government introduced a new agency, the Criminal Records Bureau (CRB), for providing criminal record checks across Britain. Since its establishment, the CRB, which is based in Liverpool, has taken over responsibility for managing all vetting checks for applicants for hackney carriage and private hire vehicle driver licences. A charge is made for each record check requested and is £12 currently, payable by the applicant. The CRB is also responsible for running similar checks on others who deal with members of the public and especially vulnerable members of society, such as teachers, social workers, recreation centre staff, etc.

After 4 months of operation, the CRB is still unable to cope with the number of requests for checks and a lengthy backlog has developed. This generally amounts to approximately 8 weeks, and despite action taken to date by the CRB to reduce the time taken to process applications, the situation remains extremely problematical.

The matter was first raised at a liaison meeting with members of the taxi trade and, subsequently, the Council requested the District's two MP's to pursue the issue. Both of the MP's have responded, but the delays at the CRB remain lengthy. Delays of 8 weeks continue to be the norm and do not appear to be reducing. There are a number of cases within the District where drivers have applied for licences and the associated CRB checks in good time, but the delay means that their licences expire, preventing them from working.

The Committee has therefore considered various possible courses of action which could be taken by the Council to ease the situation and to ensure that licences are issued in appropriate cases, but also ensuring that the Council's responsibilities in respect of public protection are fulfilled.

The three categories of applicant concerned are: existing drivers currently licensed by this Council; new and first time applicants; and those drivers who have been licensed by another local authority or who have been employed within the last 36 months in a position which necessitated a criminal record check being undertaken.

In discussing this matter, Members were mindful of the difficulties placed upon individual new and current drivers by delays from the Criminal Records Bureau. The Committee's general view was that, whilst action could be taken to accommodate renewals of licences for drivers currently licensed by the Council and applications from people who had been licensed by a different local authority or employed elsewhere and who had undergone the appropriate criminal records check, the demands of the Council's public safety responsibilities mean that the results of a full CRB check should still be required for applications by new drivers.

The Committee has therefore agreed that:

- (1) In relation to existing drivers currently licensed by this authority, approval be given to officers granting renewal applications providing the applicant:
 - (i) Possesses a current driver licence issued by this Authority;
 - (ii) Provides the Council at his/her own expense with a sworn Statutory Declaration as shown at Appendix 3 to Report A, certifying that the applicant has not been convicted of any criminal or motoring offence, other than a motoring fixed penalty offence of 3 points or fewer, nor has been reported for such, since the time of the last Criminal Record check carried out on the applicant by the Council; and
 - (iii) Within 6 months of application for a CRB Record check, supplies an official response from the CRB showing a result which is acceptable to the Council;

- (2) In consultation with the Chairman of this Committee, officers be delegated the power to grant driver licences to new/first time applicants without the applicant first providing the Council with results of a Criminal Record check carried out by the CRB, provided the applicant:
 - (i) Is the holder of a current driver licence issued by another Council or is employed, or has been employed within the last 36 months, in a position which necessitated a Criminal Record check being undertaken;
 - (ii) Provides the Council at his/her own expense with a sworn Statutory Declaration as shown at Appendix 3 to Report A, certifying that the applicant has never been convicted of any criminal or motoring offence, other than a motoring fixed penalty offence of 3 points or fewer nor has been reported as such;
 - (iii) Within 6 months of application for a CRB Record check, supplies an official response from the CRB showing a result which is acceptable to the Council; and

- (3) No concessions be made in respect of other new/first time applicants and that drivers' licences continue to be granted only when the applicant can provide the Council with satisfactory results of a Criminal Record check carried out by the CRB.

The Committee has authorised the changes for a maximum period of 6 months. Following that period the requirement for full CRB disclosure prior to the consideration of an application for a driver's licence will be reinstated. The Committee has also asked the officers to report to it if the situation with CRB checks does not improve within 6 months.

**Cllr W H Dow
CHAIRMAN**