

**Public**

## **HUNTINGDONSHIRE DISTRICT COUNCIL**

**Title/Subject Matter:** Scheme of Delegation Update – Private Hire Driver Licences

**Meeting/Date:** Licensing and Protection Committee - 28 September 2022– Date

**Executive Portfolio:** Executive Councillor for Customer Services – Cllr Stephen Ferguson

**Report by:** Michelle Bishop – Interim Licensing Manager

**Ward(s) affected:** All or list individual Ward(s)

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### **Executive Summary:**

At the current time we issue Dual driver licences, however following numerous requests from the taxi trade we have been asked to consider issuing separate Private Hire Driver licenses as well as dual licenses.

Although within the legislation we are permitted to administer and grant the licence for a Private Hire Driver, the current scheme of delegation approved in 2019, does not make it clear whether Officers can do this.

The issuing of separate Private Hire driver licences is important to not only support the Private Hire Operators to attract new drivers, but to also undertake contract and pre-booked work whilst encouraging new businesses to the district.

### **RECOMMENDATION**

The Licensing & Protection Committee is

### **RECOMMENDED**

- **To approve an updated scheme of delegation (Appendix A) to include the granting of a separate Private Hire Driver Licence.**

## **1. PURPOSE OF THE REPORT**

- 1.1 The Council Constitution details the Responsibility for Functions, and specifically the responsibilities of the Licensing & Protection Committee, the Licensing & Protection Sub-Committee and delegated officers. This report is to clearly define the issuing of a Private Hire Driver licence.

## **2. WHY IS THIS REPORT NECESSARY/BACKGROUND**

- 2.1 We currently issue Dual Driver Licenses which allow the driver to undertake Hackney Carriage and Private Hire work.
- 2.2 A high percentage (approx. 80%) of our Taxi trade is made up of Private Hire and although they can employ Dual drivers it is more beneficial and safer for us an authority for the driver to be licensed for the work that they undertake.
- 2.3 To be licensed as a Private Hire Driver, an applicant is required to undertake all of the safety and security checks that are required to become a Dual Driver, for example the Disclosure & Barring Service (DBS), a DVLA check, medical.
- 2.4 The main difference is the level of Knowledge test that is required because as a Dual Driver they are permitted to undertake the Hackney Carriage role and can therefore sit on a taxi rank.
- 2.5 In comparison to a Private Hire driver, the driver is working for a Private Hire Operator and undertakes pre-booked work, which is directed by the Operator.

## **3. LINK TO THE CORPORATE PLAN, STRATEGIC PRIORITIES AND/OR CORPORATE OBJECTIVES**

- 3.1 The Councils Corporate Plan prioritises supporting local businesses. There has been suggestion from the Trade that the extended knowledge test is affecting operators being able to recruit to the role and ultimately having a negative impact on businesses. If the scheme of delegation were to include the issuing of Private Hire Driver licenses, this would help address this issue.

## **4. LEGAL IMPLICATIONS**

- 4.1 Without a formalised scheme of delegation for licensing and registration functions, the Council may be exposed to legal challenge in the decisions that it makes regarding these functions. This report reduces the risk of being challenged by demonstrating 'an approved scheme of delegation'.

## **5. RESOURCE IMPLICATIONS**

5.1 There are no resource implications to be considered.

**6. REASONS FOR THE RECOMMENDED DECISIONS**

6.1 The recommendation fulfils the corporate aim of supporting businesses and our residents by providing job opportunities as well as addressing concerns raised by the Trade.

**7. LIST OF APPENDICES INCLUDED**

Appendix A – Updated Scheme of Delegation

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