

Committee: Licensing & Environmental Health

Title: Driver DVLA Check Review

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Date:

Tuesday

17 June 2025

Item for decision:
Yes

Summary

1.1. This report is to propose to Members an increase in the check frequency of DVLA driving licences held by licensed Taxi and Private Hire Drivers.

Recommendations

2.1. Members are to determine whether to approve in principle or reject the proposals contained within this report.

2.2. Any decision to approve in principle would initiate a Trade wide consultation on the proposal and be returned to Committee for further consideration should any objections be received.

Financial Implications

3.1. There are no financial implications to the Council, however the approval of this proposal would result in a £14.40 increase to the overall cost borne by licensed Taxi and Private Hire Drivers over the course of a three-year licence period.

Background Papers

4.1. None

Impact

5.1.

Communication/Consultation	Any determination to approve the proposals would be subject to consultation with the existing licensed Taxi and Private Hire Trade.
Community Safety	DVLA licence checks are conducted at grant/renewal of licence and at intermittent periods throughout the licence duration. It is widely recognised that such checks are critical to ascertaining the 'fit and proper' status of a licence applicant and/or holder.

	<p>Any increase in check frequency would naturally mean that the Council has more regular access to DVLA licence status of its drivers.</p>
<p>Equalities</p>	<p>Under the general equality duty as set out in the Equality Act 2010, public authorities are required to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation as well as advancing equality of opportunity and fostering good relations between people who share a protected characteristic and those who do not.</p> <p>The protected grounds covered by the equality duty are: age, disability, sex, gender reassignment, pregnancy and maternity, race, religion or belief, and sexual orientation. The equality duty also covers marriage and civil partnership, but only in respect of eliminating unlawful discrimination.</p> <p>The law requires that this duty to have due regard be demonstrated in decision making processes. Assessing the potential impact on equality of proposed changes to policies, procedures and practices is one of the keyways in which public authorities can demonstrate that they have had due regard to the aims of the equality duty.</p> <p>Licensing Policies and Licensing decisions must all have regard to the Council's Equalities duties.</p>
<p>Health and Safety</p>	<p>The fundamental purpose of the private hire and hackney carriage licensing regime is to establish a position where passengers can use these vehicles with a high degree of confidence about their safety. This principle is at the heart of the Statutory Taxi and Private Hire Vehicle Standards. Licensing authorities are required to have in place arrangements that reflect the importance of safeguarding and promoting the welfare of children and vulnerable adults</p>

Human Rights/Legal Implications	Conditions and charges may be challenged in the High Court (Judicial Review) or by complaint to the Local Auditor. It is therefore important that the process the Council follows is fair, open, and transparent
Sustainability	None
Ward-specific impacts	None
Workforce/Workplace	The proposed change can be managed from within the current resource although the Licensing Committee are asked to note the potential future projects and the current capacity of the service.

Situation

6.1. DVLA licence checks are conducted at grant/renewal of a Taxi or Private Hire Driver licence and at intermittent periods throughout the licence duration. It is widely recognised that such checks are critical to ascertaining the ‘fit and proper’ status of a licence applicant and/or holder.

6.2. The Council currently conducts a DVLA check at the grant and renewal of a Taxi or Private Hire Driver licence, and then annually throughout the duration of a licence. This means that any one driver would in practice have a total of three checks during their licence. This is currently charged directly to drivers by an external company used by the Council to conduct both DVLA and DBS status checks, TaxiPlus, at a cost of £14.40.

6.3. The proposal before the Committee is to consider an increase in DVLA checks from annual to 6-monthly, meaning that in practice a driver would have six checks throughout their licence period. The cost of this would double from £14.40 to a total of £28.80 which would be payable directly by the driver to TaxiPlus.

6.4. The proposal arises from comments made by Members of recent Driver Panels where it was noted that the Council could in a worst-case scenario not be privy of a DVLA endorsement for up 11 months from the date of issuance, and as such be unable to take any necessary action against the licensee.

6.5. The Council currently requires by condition of licence that any driver who receives

‘any convictions, cautions, or fixed penalty notices (save in for respect of civil parking fixed penalty notices which cannot result in the endorsement

of points upon the drivers licence) within 7 days of the date of conviction, caution or the issue of a fixed penalty notice’.

6.6. This condition does provide a safeguard to the Council in that it requires a licensed driver to report any driving offences within a seven-day period, but this is clearly reliant on the driver’s honesty and compliance with the condition. Where they do not, whilst serving as an aggravating factor in any subsequent disciplinary decision by the Council, this can result in lengthy periods of time before it is able to make any such decision.

6.7. Additionally in the case of more serious driving offences, the Common Law Police Disclosure can act as a further safeguard. Common Law Police Disclosure ensures that where there is a public protection risk, the Police will pass information to the employer or regulatory body to allow them to act swiftly to mitigate any danger.

Common Law Police Disclosure replaced the Notifiable Occupations Scheme (NOS) in March 2015 and focuses on providing timely and relevant information which might indicate a public protection risk. Information is passed on at arrest or charge, rather than on conviction which may be some time after, allowing any measures to mitigate risk to be put in place immediately.

Where a driver is charged with drink driving, for example, this should trigger a notification from the Police to the Council in its capacity as the Licensing Authority. This has varied success both locally and nationally. It is widely recognised that the Scheme is not foolproof and cannot be relied upon solely.

6.8. Members are therefore advised that whilst there are safeguards in place to prevent any unreasonable delays to notification of a driving offence, and despite being relatively unlikely, it is nonetheless entirely currently plausible for one to go undetected for up to an 11-month period.

6.9. Members are asked to consider whether the enhanced monitoring through an increase in DVLA checks is reasonable and proportionate pursuant to public safety being paramount and outweighs the extra cost borne by licensed Taxi and Private Hire Drivers.