

To: Councillor Woodward (Chair);  
Councillors Dennis, D Edwards,  
Livingston, McDonald and Skeats.

Direct: ☎ 0118 937 2368  
email: [amy.bryan@reading.gov.uk](mailto:amy.bryan@reading.gov.uk)

29 March 2018

Your contact is: Amy Bryan - Committee Services

#### NOTICE OF MEETING - LICENSING APPLICATIONS SUB-COMMITTEE 3 - 11 APRIL 2018

A meeting of Licensing Applications Sub-Committee 3 will be held on Wednesday 11 April 2018 at 6.30pm in the Council Chamber, Civic Offices, Bridge Street, Reading. The agenda for the meeting is set out below.

#### AGENDA

	WARDS AFFECTED	PAGE NO
1. DECLARATIONS OF INTEREST		-
Councillors to declare any disclosable pecuniary interests they may have in relation to the items for consideration.		
2. MINUTES OF THE MEETINGS OF LICENSING APPLICATIONS SUB-COMMITTEE 3 HELD ON 6 MARCH 2018		1
To confirm the Minutes of the Licensing Applications Sub-Committee 3 meetings held on 6 March 2018.		
3. QUESTIONS		-
Questions submitted pursuant to Standing Order 36 in relation to matters falling within the Committee's Powers & Duties which have been submitted in writing and received by the Head of Legal & Democratic Services no later than four clear working days before the meeting.		

*CIVIC OFFICES EMERGENCY EVACUATION: If an alarm sounds, leave by the nearest fire exit quickly and calmly and assemble on the corner of Bridge Street and Fobney Street. You will be advised when it is safe to re-enter the building.*

- |    |   |             |   |
|----|---|-------------|---|
| 4. | REVISION OF THE EXISTING PROCEDURES RELATING TO HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE DRIVER'S LICENCE APPLICATIONS | BOROUGHWIDE | 3 |
|----|---|-------------|---|

To receive a report which proposes changes to how applicants apply for a Disclosure and Barring Service certificate and withdrawing the issuing of 'entitlement to drive' letters to drivers on renewal of their licence to streamline the application process.

At this point, the following motion will be moved by the Chair:

"That, pursuant to Section 100A of the Local Government Act 1972 (as amended) members of the press and public be excluded during consideration of the following item on the agenda, as it is likely that there would be disclosure of exempt information as defined in the relevant Paragraphs of Part 1 of Schedule 12A of that Act"

- |    |  |             |    |
|----|--|-------------|----|
| 5. | APPLICATIONS FOR THE GRANT, RENEWAL, SUSPENSION OR REVOCATION OF HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE DRIVER LICENCES AND APPEALS AGAINST ALLOCATION OF PENALTY POINTS ON PRIVATE HIRE VEHICLE DRIVER'S LICENCE | BOROUGHWIDE | 24 |
|----|--|-------------|----|

## LICENSING APPLICATIONS SUB-COMMITTEE 3 MINUTES - 6 MARCH 2018

**Present:** Councillor Livingston (in the Chair);

Councillors Dennis, D Edwards and Skeats.

**Apologies:** Councillors Woodward (Chair) and McDonald.

### 31. MINUTES

The Minutes of the meeting held on 8 February 2018 were confirmed as a correct record and signed by the Chair.

### 32. EXCLUSION OF THE PRESS AND PUBLIC

**Resolved -**

That, pursuant to Section 100A of the Local Government Act 1972 (as amended), members of the press and public be excluded during consideration of the following items of business as it was likely that there would be disclosures of exempt information as defined in paragraphs 1, 2 and 3, specified in Part 1 of Schedule 12A (as amended) to that Act.

### 33. APPLICATION FOR THE GRANT OF A PRIVATE HIRE (SCHOOL TRANSPORT) VEHICLE OPERATOR'S LICENCE - WHITEKNIGHTS TRAVEL LIMITED, WHITEKNIGHTS ROAD, READING

The Director of Environment and Neighbourhood Services submitted a report on an application by ZM for the grant of a private hire (school transport) vehicle operator's licence in respect of Whiteknights Travel Limited, Whiteknights Road, Reading, RG6 7BD.

A summary of the circumstances of the case was appended to the report.

The applicant, ZM, was present at the meeting and addressed the Sub-Committee and was accompanied by Mr Mohammed Asram.

**Resolved -**

That the application by ZM for the grant of a private hire (school transport) vehicle operator's licence in respect of Whiteknights Travel Limited be granted for six months for five vehicles only and the Head of Planning, Development and Regulatory Services be authorised to renew the licence for a further six months, subject to no breaches of licence conditions, offences being committed or complaints being received.

### 34. APPLICATIONS FOR THE GRANT, RENEWAL, SUSPENSION OR REVOCATION OF HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE DRIVER LICENCES

The Director of Environment and Neighbourhood Services submitted a report asking the Sub-Committee to consider the grant of a three year private hire vehicle driver's licence and the revocation of a three year hackney carriage driver's licence.

A summary of the circumstances of each case was appended to the report.

## LICENSING APPLICATIONS SUB-COMMITTEE 3 MINUTES - 6 MARCH 2018

The applicants were both present at the meeting and addressed the Sub-Committee. MS was accompanied by his cousin S. AH was represented by his solicitor Mr Rajah Azam who addressed the Sub-Committee on his behalf.

### Resolved -

- (1) That the application by MS for the grant of a three year private hire vehicle driver's licence be refused due to him not being considered a fit and proper person by reason of:
  - (a) the nature of the offences, as detailed in the report;
  - (b) insufficient time had elapsed since his convictions for some offences, as detailed in the report.
  
- (2) That the hackney carriage vehicle driver's licence in respect of AH be revoked with effect from the end of 21 days' notice of the decision being given and for the following reasonable causes pursuant to section 61 of the Local Government (Miscellaneous Provisions) Act 1976:
  - (a) the nature of the alleged offence, as detailed in the report;
  - (b) on the balance of probabilities the Sub-Committee believed the complainants account of the incident;
  - (c) that AH had breached his position of trust as a hackney carriage driver and the Sub-Committee had a duty to protect travelling members of the public.

(Exempt information as defined in paragraph 1, 2, 3 and 5)

(The meeting started at 6.30pm and closed at 8.45pm)

READING BOROUGH COUNCIL

REPORT BY DIRECTOR OF ENVIRONMENT AND NEIGHBOURHOOD SERVICES

TO:	LICENSING APPLICATIONS SUB-COMMITTEE 3		
DATE:	11 APRIL 2018	AGENDA ITEM:	4
TITLE:	REVISION OF THE EXISTING PROCEDURES RELATING TO HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLE DRIVER'S LICENCE APPLICATIONS		
LEAD COUNCILLOR:	SARAH HACKER	PORTFOLIO:	CULTURE SPORT AND CONSUMER SERVICES
SERVICE:	PLANNING DEVELOPMENT & REGULATORY SERVICES	WARDS:	BOROUGHWIDE
LEAD OFFICER:	NICOLA BUTLER	TEL:	0118 9372707
JOB TITLE:	LICENSING ENFORCEMENT SUPPORT OFFICER	E-MAIL:	nicola.butler@reading.gov.uk

**1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

- 1.1 The process for grant and renewal applications for private hire (PHD) and hackney carriage (HCD) vehicle driver's licences has been reviewed by officers. Sections specifically relating to the process for providing a Disclosure & Barring Service (DBS) enhanced certificate (criminal record check) and the issuing of licences on renewal require updating. This report will address making changes to how applicants apply for a DBS certificate and withdrawing the issuing of 'entitlement to drive' letters to drivers on renewal of their licence. Officers believe that the combination of these two changes will result in streamlining of the application process.

**2. RECOMMENDED ACTION**

- 2.1 That Members approve the Options proposed at 4.2 below

**3. POLICY CONTEXT**

- 3.1.1 The draft Reading Borough Council 'Hackney Carriage and Private Hire Policy' details the processes regarding the issuing of all licences with respect to hackney carriages and private hire vehicles. Periodic revision of these policies is required in order to keep up to date with current technology and streamlining processes to benefit both the Council and the public.

## 4. THE PROPOSAL

### 4.1 Current Position:

- 4.1.1 The current process regarding DBS certificates and the renewal of licences have not been reviewed for some time. There have been advances in technology that now mean the issuing of DBS certificates can be done electronically rather than the time consuming paper application process currently used. The issuing of 'entitlement to drive' letters has not been reviewed and an alternative process can be used to speed up the renewal of PHD and HCD licences. The draft policy is attached in background papers.
- 4.1.2 Officers have been working in consultation with hackney carriage and private hire trade to create a policy. The consultation was sent twice due to amendments made to the proposed changes, the consultation period was extended by seven days to allow sufficient time for responses to be received. One objection from Mr Manzoor Hussain of Yellow cars was received in respect of the changes proposed in 4.2 below and one response from an operator Mr Anthony Roe of 1<sup>st</sup> Class Travel who stated that he is happy with the changes. All correspondence in relation to the consultation can be found in background papers.
- 4.1.3 The proposed policy sections are attached in background papers and below in 4.2 explains the proposed changes and amendments and the reasons for them.

### 4.2 Options Proposed

#### 4.2.1 Disclosure & Barring Service -

The proposal is for applicants to sign up to the Disclosure & Barring Service (DBS) online update service. This is a service offered by DBS which allows the driver to keep their criminal record and barring checks up to date and prevent long delays when applying for the grant or renewal of a hackney carriage or private hire vehicle driver's licence.

#### Current draft guidance

*3.5.6 The Council is bound by the rules of confidentiality. The applicant for a DBS disclosure will be required to complete the DBS application form and forward it to the Council. The Council will verify the details on the form and send to Disclosure Barring Service for processing. The results of the DBS check will be sent to the applicant's home address. The applicant is required to provide the DBS report to the Council as this report will form part of their application.*

#### Proposed wording

In addition to the above the following to be added;

*3.5.7 The applicant is required to sign up to the DBS update service on receipt of their new DBS certificate and pay any annual fees for the service as required for the duration of the time they hold a current private hire or hackney carriage vehicle driver's licence. The Council will check the DBS certificate of the applicant using the update service for future renewals or as required. Once the applicant has signed up to the DBS update service, they will not be required to apply for a paper*

*DBS enhanced certificate as long as the status of the certificate does not change and they continue to pay the relevant annual fee to the Disclosure & Barring Service.*

With the current system drivers can be waiting for three months or more for a DBS check to be completed. With the update service, records are checked by DBS every week and the certificate updated accordingly. The Licensing administration officers can then check the status of the driver's certificate online negating the wait for a paper certificate to be issued.

Driver's licences are issued for three years and a valid certificate is required for every renewal. By signing up to the update service the driver will save £5 in fees over the three years; a £39 cost of the annual update service over the three years as opposed to the £44 cost of a paper certificate every three years on renewal. The update service will mean that officers can check the status of the driver's DBS certificate online, speeding up the application process and reducing officer time spent on processing the paper application forms.

As long as there are no changes to the DBS certificate, and the driver continues to pay the £13 annual fee, they would not need to apply for another DBS certificate.

Officers propose that this policy would be effective for all private hire and hackney carriage vehicle driver's licence applications received from 01 June 2018.

#### *How the update service works*

*The driver will apply for a DBS check as usual (and pay the £44 fee). They then sign up to the update service by paying a £13 fee which is then renewed annually. The records are regularly checked by DBS for any new information since the certificate was last issued. For enhanced checks would be done on a weekly basis. If there is a change to the status of the certificate the driver will be informed by email. If there is a status change the driver would then need to apply for a DBS enhanced certificate in the usual way, thus incurring a £44 fee. The status will change if the following happens:*

*For all DBS certificates:*

- new convictions, cautions, reprimands or warnings have been added to police records; or*
- an amendment has been made by the police to current convictions, cautions, warnings or reprimands.*

*For enhanced DBS certificates:*

- as above plus any new, relevant police information.*

*For enhanced certificates with a check against either of the barred*

*lists:*

- as above plus if the person becomes barred for either/both barred lists.*

#### **4.2.2 Renewal applications and 'entitlement to drive' letters -**

##### **Current guidance**

*You should submit your renewal application at least six weeks before your licence runs out. A complete application is required before expiry of the current licence to be eligible for an entitlement to drive.*

*If you submit an incomplete application you may lose your entitlement to drive a licensed vehicle.*

In the last 12 months, officers have issued approximately 300 'entitlement to drive' letters with some drivers requiring more than one letter before their application has been completed. This has cost implications regarding officer's time to produce the letters along with those for printing and postage. These costs have been kept to a minimum by emailing the letters when possible. The administration cost of these letters was not taken into account when fees for driver's badges were calculated. The proposal to change to issuing the licence will address the impacts the current policy has on officer time and associated cost implications.

### **Proposed wording**

*3.10.6 An application for the renewal of a driver's licence, including all relevant paperwork and associated fees, must be submitted a minimum of four weeks before the current licence expires. If the renewal application is received within this time the new three year licence will be issued on expiry of the current licence. If the driver is awaiting the outcome of a DBS check, DVLA check or visa status the licence will be issued with a covering letter informing the licence-holder that the licence is issued subject to the satisfactory completion of the application process and that the licence may be suspended or revoked if they do not subsequently meet the expected criteria.*

*3.10.7 Applications received less than four weeks before the expiry date may result in a licence not being issued due to insufficient administration time for the licence to be produced. The applicant will not hold a valid licence in order to continue to drive. A licence will be issued at the discretion of the Council and will be subject to reasonable administration timescales.*

Licensing officers propose that the full three year licence is issued on the date of renewal if all paperwork and fees have been paid a minimum of four weeks before the renewal date, even if DVLA, DBS or VISA status checks have not yet been completed. This would replace the current system of issuing 'entitlement to drive' (ETD) letters. The inclusion of a covering letter with the licence will inform the driver that they still need to meet the required standard and enforcement action will be taken should any issues arise during the application process. Officers are proposing that renewal applications are received a minimum of four weeks before expiry to ensure that the administration procedures surrounding applications can be completed and allow the licence to be produced before expiry.

This policy is similar to that of a number of neighbouring Licensing Authorities. Officers contacted six Licensing Authorities to gauge what their policies were in relation to the renewal of driver's licences. The Authorities that were consulted consisted of those neighbouring Reading Borough area as well as two others that have a similarly large number of driver's licences that they have issued. This correspondence is attached in background papers.

The four week processing period, together with the proposed changes to the system for checking DBS certificates proposed in 4.2.1 above, should result in



licences being issued with all the relevant checks completed. Officers are expecting that issuing a licence with a covering letter, as proposed above, to be an exception as opposed to the norm.

## 5. CONTRIBUTION TO STRATEGIC AIMS

- 5.1 The hackney carriage and private hire trade provides a valuable service to the public by being available to transport customers throughout the borough on a 24-hour basis and to provide safe transport for the most vulnerable members of the community. The proposed changes will allow officers to ensure the most effective systems are in place to protect the public and maintain the Council's high standards with regards to issuing hackney carriage and private hire vehicle driver's licences.

## 6. COMMUNITY ENGAGEMENT AND INFORMATION

- 6.1 Regular monthly meetings with trade representatives and consultation on any changes to conditions, specifications and policy.

## 7. EQUALITY IMPACT ASSESSMENT

- 7.1 *Under the Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, have due regard to the need to—*
- *eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
  - *advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
  - *foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*
- 7.2 An Equality Impact Assessment (EIA) is not relevant to the decisions made regarding the proposals in 4.2 above.

## 8. LEGAL IMPLICATIONS

- 8.1 Section 51 (1) Local Government (Miscellaneous Provisions) Act 1976 states; 'Subject to the provisions of this Part of this Act, a District Council shall, on the receipt of an application from any person for the grant to that person of a licence to driver private hire vehicles, grant to that person a driver's licence: Provided that a district council shall not grant a licence -
- (a) unless they are satisfied that the applicant is a fit and proper person to hold a driver's licence'.
- 8.2 Section 51 (2) Local Government (Miscellaneous Provisions) Act 1976 states 'a district council may attach to the grant of a licence under this section such conditions as they may consider reasonably necessary'.
- 8.3 Section 52 (2) Local Government (Miscellaneous Provisions) Act 1976 states 'Any person aggrieved by -
- (1) the refusal of the district council to grant a driver's licence under section 51 of this Act; or

(2) any conditions attached to the grant of a drivers licence; may appeal to a magistrates' court

8.4 Section 51 (1) Local Government (Miscellaneous Provisions) Act 1976 states;  
(1)Notwithstanding anything in the Act of 1847 or in this Part of this Act, a district council may suspend or revoke or (on application therefor under section 46 of the Act of 1847 or section 51 of this Act, as the case may be) refuse to renew the licence of a driver of a hackney carriage or a private hire vehicle on any of the following grounds:—

(a)that he has since the grant of the licence—

(i)been convicted of an offence involving dishonesty, indecency or violence; or

(ii)been convicted of an offence under or has failed to comply with the provisions of the Act of 1847 or of this Part of this Act; or

(b)any other reasonable cause.

(3)Any driver aggrieved by a decision of a district council under subsection (1) of this section may appeal to a magistrates' court.

## 9. FINANCIAL IMPLICATIONS

9.1 None.

## 10. BACKGROUND PAPERS

- i. Consultation notices
- ii. Replies to consultation notices
- iii. Correspondence with Authorities regarding renewal policies



**Butler, Nicola**

---

**From:** Butler, Nicola  
**Sent:** 30 January 2018 15:07  
**To:** [REDACTED]; [REDACTED]  
**Subject:** Consultation - proposed changes to HCD/PHD licence applications [OFFICIAL]  
**Attachments:** HCD & PHD policy changes for consultation.docx

Dear Mr Shabir and Mr Sheikh

Please find attached a consultation document relating to proposed changes to applications for HCD and PHD licences. The date for replies/comments is 14 February 2018. Please can a copy be put on the notice board for all hackney drivers to read.

Regards

**Nicola Butler**

Licensing Enforcement  
Licensing Department | Directorate of Environment and Neighbourhood Services

Reading Borough Council

Civic Centre  
Bridge Street  
Reading  
RG1 2LU

0118 937 2707

[Website](#) | [Facebook](#) | [Twitter](#) | [YouTube](#)



Please Note that Public Sector Protective Document Marking is in operation. All sensitive emails and documents originating from Local Authorities should be marked OFFICIAL or OFFICIAL-SENSITIVE. Documents & emails unmarked are to be treated with usual professional courtesy. Those marked OFFICIAL are to be circulated with consideration. Those marked OFFICIAL-SENSITIVE should usually be circulated only to those the author has included in the send field. Secure email will also be used as an additional control measure where applicable for OFFICIAL and OFFICIAL-SENSITIVE external emails.

## Butler, Nicola

---

**Subject:** FW: Consultation - proposed changes to HCD/PHD licence applications [OFFICIAL]  
**Attachments:** HCD & PHD policy changes for consultation.docx  
**Importance:** High

**From:** Butler, Nicola  
**Sent:** 30 January 2018 15:12  
**To:**  
**Subject:** Consultation - proposed changes to HCD/PHD licence applications [OFFICIAL]  
**Importance:** High

Dear Operators

Please find attached a consultation document relating to proposed changes to applications for HCD and PHD licences. The date for replies/comments is 14 February 2018. Please can you put a copy of this up in your office to make your drivers aware of this consultation. Can any comments or objections they may have be made through yourselves rather than individually.

Regards

Nicola Butler  
Licensing Enforcement  
Licensing Department | Directorate of Environment and Neighbourhood Services

Reading Borough Council  
Civic Centre  
Bridge Street  
Reading  
RG1 2LU

0118 937 2707

[Website](#) | [Facebook](#) | [Twitter](#) | [YouTube](#)



Please Note that Public Sector Protective Document Marking is in operation. All sensitive emails and documents originating from Local Authorities should be marked OFFICIAL or OFFICIAL-SENSITIVE. Documents & emails unmarked are to be treated with usual professional courtesy. Those marked OFFICIAL are to be circulated with consideration. Those marked OFFICIAL-SENSITIVE should usually be circulated only to those the author has included in the send field. Secure email will also be used as an additional control measure where applicable for OFFICIAL and OFFICIAL-SENSITIVE external emails.

# **IMPORTANT NOTICE**

## **Consultation for proposed changes to the policy for applying for hackney carriage (HCD) and private hire (PHD) vehicle driver's licences.**

***Please send responses to this consultation to [licensing@reading.gov.uk](mailto:licensing@reading.gov.uk) by 14 FEBRUARY 2018***

Licensing officers are proposing making changes to the application policy for hackney carriage and private hire driver's licences. The changes relate to the DBS certificate application process and licence renewal applications. Officers believe that the changes outlined below will allow faster processing of applications. The proposal is that the changes come into effect from **01 JUNE 2018** and that they will apply to grant and renewal applications received from this date.

### **Renewal Applications**

Licensing officers propose that the full 3 year licence is issued on the date of renewal if all paperwork and fees have been paid before the renewal date, even if DVLA, DBS or VISA status checks have not yet been completed. This would replace the current system of issuing 'entitlement to drive' (ETD) letters.

If a renewal application is submitted to the Council late, or full payment has not been made, the licence will not be issued. The driver will not receive an entitlement to drive. The licence will only be issued once the DBS/DVLA or VISA checks have been done.

### **DBS checks**

Licensing officers propose that applicants sign up to the electronic update service through the Disclosure & Barring Service (DBS). Once an applicant has signed up to the service, no further DBS certificates need to be applied for unless there is a change in the status of the certificate, for example a new caution/criminal conviction etc. The Council can then view the status of the certificate online, speeding up the process. Drivers would need to pay an annual subscription of £13 for the service and this must be renewed every year whilst holding a RBC-issued HCD or PHD licence. The annual fee would mean a saving of £5 over the 3 year licence and the driver would not need to apply for a paper certificate on future renewals. If there is a change to the certificate then the driver would need to apply for a DBS certificate as usual and pay the £44 fee. Please see the notes at the end which gives more information on how the update service works.

See the following website for full details of the update service

<https://www.gov.uk/government/collections/dbs-update-service-promotional-material>

## Butler, Nicola

---

**From:** Butler, Nicola  
**Sent:** 07 February 2018 14:00  
**To:** [REDACTED]  
**Subject:** Consultation - proposed changes to HCD/PHD licence applications **\*\*AMENDED\*\***  
[OFFICIAL]  
**Attachments:** HCD & PHD policy changes for consultation.docx

Please find attached the AMENDED consultation document relating to proposed changes to applications for HCD and PHD licences. Changes have been made regarding timescales for renewal applications to be made. The date for replies/comments is now 21 February 2018. Please can a copy be put on the notice board for all hackney drivers to read.

Regards

**Nicola Butler**

Licensing Enforcement  
Licensing Department | Directorate of Environment and Neighbourhood Services

Reading Borough Council  
Civic Centre  
Bridge Street  
Reading  
RG1 2LU

0118 937 2707

[Website](#) | [Facebook](#) | [Twitter](#) | [YouTube](#)



Please Note that Public Sector Protective Document Marking is in operation. All sensitive emails and documents originating from Local Authorities should be marked OFFICIAL or OFFICIAL-SENSITIVE. Documents & emails unmarked are to be treated with usual professional courtesy. Those marked OFFICIAL are to be circulated with consideration. Those marked OFFICIAL-SENSITIVE should usually be circulated only to those the author has included in the send field. Secure email will also be used as an additional control measure where applicable for OFFICIAL and OFFICIAL-SENSITIVE external emails.

## Butler, Nicola

---

**Subject:** FW: Consultation - proposed changes to HCD/PHD licence applications  
\*\*AMENDED\*\* [OFFICIAL]

**Attachments:** HCD & PHD policy changes for consultation.docx

**From:** Butler, Nicola  
**Sent:** 07 February 2018 14:03  
**Cc:**  
**Subject:** Consultation - proposed changes to HCD/PHD licence applications \*\*AMENDED\*\* [OFFICIAL]

Dear Operators

Please find attached the AMENDED consultation document relating to proposed changes to applications for HCD and PHD licences. Changes have been made regarding timescales for renewal applications to be made. The date for replies/comments is now 21 February 2018. Please can a copy be put on the notice board for all hackney drivers to read.

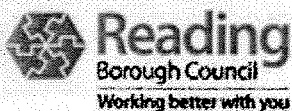
Regards

**Nicola Butler**  
Licensing Enforcement  
Licensing Department | Directorate of Environment and Neighbourhood Services

Reading Borough Council  
Civic Centre  
Bridge Street  
Reading  
RG1 2LU

0118 937 2707

[Website](#) | [Facebook](#) | [Twitter](#) | [YouTube](#)



Please Note that Public Sector Protective Document Marking is in operation. All sensitive emails and documents originating from Local Authorities should be marked OFFICIAL or OFFICIAL-SENSITIVE. Documents & emails unmarked are to be treated with usual professional courtesy. Those marked OFFICIAL are to be circulated with consideration. Those marked OFFICIAL-SENSITIVE should usually be circulated only to those the author has included in the send field. Secure email will also be used as an additional control measure where applicable for OFFICIAL and OFFICIAL-SENSITIVE external emails.

# IMPORTANT NOTICE

## Consultation for proposed changes to the policy for applying for hackney carriage (HCD) and private hire (PHD) vehicle driver's licences.

*Please send responses to this consultation to [licensing@reading.gov.uk](mailto:licensing@reading.gov.uk) by 21 FEBRUARY 2018*

Licensing officers are proposing making changes to the application policy for hackney carriage and private hire driver's licences. The changes relate to the DBS certificate application process and licence renewal applications. Officers believe that the changes outlined below will allow faster processing of applications. The proposal is that the changes come into effect from **01 JUNE 2018** and that they will apply to grant and renewal applications received from this date.

### Renewal Applications

Licensing officers propose that the full 3 year licence is issued on the date of renewal if all paperwork and fees have been paid a **minimum of four weeks** before the renewal date, even if DVLA, DBS or VISA status checks have not yet been completed. This would replace the current system of issuing 'entitlement to drive' (ETD) letters.

Applications received less than four weeks before the expiry date may result in a licence not being issued due to insufficient administration time for the licence to be produced. The applicant will not hold a valid licence in order to continue to drive. A licence will be issued at the discretion of the Council and will be subject to reasonable administration timescales.

### DBS checks

Licensing officers propose that applicants sign up to the electronic update service through the Disclosure & Barring Service (DBS). Once an applicant has signed up to the service, no further DBS certificates need to be applied for unless there is a change in the status of the certificate, for example a new caution/criminal conviction etc. The Council can then view the status of the certificate online, speeding up the process. Drivers would need to pay an annual subscription of £13 for the service and this must be renewed every year whilst holding a RBC-issued HCD or PHD licence. The annual fee would mean a saving of £5 over the 3 year licence and the driver would not need to apply for a paper certificate on future renewals. If there is a change to the certificate then the driver would need to apply for a DBS certificate as usual and pay the £44 fee. Please see the notes at the end which gives more information on how the update service works.

See the following website for full details of the update service

<https://www.gov.uk/government/collections/dbs-update-service-promotional-material>





**Butler, Nicola**

---

**Subject:** FW: Consultation - proposed changes to HCD/PHD licence applications [OFFICIAL]

**From:** Yell Cars [mailto: [REDACTED]]  
**Sent:** 30 January 2018 16:44  
**To:** Butler, Nicola  
**Subject:** RE: Consultation - proposed changes to HCD/PHD licence applications [OFFICIAL]

This is an EXTERNAL EMAIL. STOP. THINK before you CLICK links or OPEN attachments.

Hi Nicola,

Whilst like the idea of renewal straight away is good, however my first thought on subscribing yearly DBS is a bit confusing. At present we need DBS every 3 year only and drivers to report any breaches.

Yearly subscription means reminding us and more admin.

Regards

Manzoor

---

**From:** Butler, Nicola [mailto: [Nicola.Butler@reading.gov.uk](mailto:Nicola.Butler@reading.gov.uk)]  
**Sent:** 30 January 2018 15:12  
**To:**  
**Subject:** Consultation - proposed changes to HCD/PHD licence applications [OFFICIAL]  
**Importance:** High

Dear Operators

Please find attached a consultation document relating to proposed changes to applications for HCD and PHD licences. The date for replies/comments is 14 February 2018. Please can you put a copy of this up in your office to make your drivers aware of this consultation. Can any comments or objections they may have be made through yourselves rather than individually.

Regards

**Nicola Butler**  
Licensing Enforcement  
Licensing Department | Directorate of Environment and Neighbourhood Services

Reading Borough Council  
Civic Centre  
Bridge Street  
Reading  
RG1 2LU

0118 937 2707

[Website](#) | [Facebook](#) | [Twitter](#) | [YouTube](#)

**Butler, Nicola**

---

**From:** Anthony Roe <[REDACTED]>  
**Sent:** 30 January 2018 19:44  
**To:** Butler, Nicola  
**Subject:** Re: Consultation - proposed changes to HCD/PHD licence applications [OFFICIAL]

This is an EXTERNAL EMAIL. STOP. THINK before you CLICK links or OPEN attachments.

Thank you for this notification i am very happy with the changes and hope this is passed through to committee  
many thanks regards Anthony Roe

Anthony Roe Managing Director  
Head Office 127a Loverock Road Reading Berkshire RG30 1DZ  
Telephone [REDACTED]

London Office  
8 Canada Square Canary Wharf London E14 5HG  
Telephone [REDACTED]  
Primary email [REDACTED]

[REDACTED]  
Sanderstead Road  
South Croydon  
London  
CR2 0PL  
Telephone [REDACTED]  
Email [REDACTED]

We are a Taxi Chauffeur And Limousine Company Specialising in Airport Transfers Including Seaports.

On 30 January 2018 at 15:11, Butler, Nicola <[Nicola.Butler@reading.gov.uk](mailto:Nicola.Butler@reading.gov.uk)> wrote:

Dear Operators

Please find attached a consultation document relating to proposed changes to applications for HCD and PHD licences. The date for replies/comments is 14 February 2018. Please can you put a copy of this up in your office to make your drivers aware of this consultation. Can any comments or objections they may have be made through yourselves rather than individually.

Regards

Nicola Butler

Licensing Enforcement

**Butler, Nicola**

---

**Subject:** FW: Consultation - proposed changes to HCD/PHD licence applications  
\*\*AMENDED\*\* [OFFICIAL]

**From:** [REDACTED] [mailto:[REDACTED]]  
**Sent:** 07 February 2018 14:32  
**To:** Butler, Nicola  
**Subject:** RE: Consultation - proposed changes to HCD/PHD licence applications \*\*AMENDED\*\* [OFFICIAL]

This is an EXTERNAL EMAIL. STOP. THINK before you CLICK links or OPEN attachments.

Hi Nicola,

I have put the notice up and immediately our drivers are saying already they cannot afford to pay for 3 years in one go and they all have to save last minute to pay for this.

They want to have the option of 1 year and 3 years as well as pay on the day its due.

We all feel that Uber has taken away a lot of work and park up in the university even without bookings, as there is no enforcement and yet we are expected to start paying our fees months in advance.

Can you make this objection strongly against not issuing licence for not renewing 4 weeks in advance.

Regards

Manzoor

---

**From:** Butler, Nicola [mailto:Nicola.Butler@reading.gov.uk]  
**Sent:** 07 February 2018 14:03  
**Cc:**  
**Subject:** Consultation - proposed changes to HCD/PHD licence applications \*\*AMENDED\*\* [OFFICIAL]

Dear Operators

Please find attached the AMENDED consultation document relating to proposed changes to applications for HCD and PHD licences. Changes have been made regarding timescales for renewal applications to be made. The date for replies/comments is now 21 February 2018. Please can a copy be put on the notice board for all hackney drivers to read.

Regards

**Nicola Butler**  
Licensing Enforcement  
Licensing Department | Directorate of Environment and Neighbourhood Services

Reading Borough Council  
Civic Centre  
Bridge Street  
Reading  
RG1 2LU

0118 937 2707

**Butler, Nicola**

**From:** Butler, Nicola  
**Sent:** 06 December 2017 13:11  
**To:** 'Licensing South'  
**Cc:** 'Licensing'; 'laura.driscoll@bracknell-forest.gov.uk'; 'licensing@basingstoke.gov.uk'; 'taxi.licensing@milton-keynes.gov.uk'; 'taxiprivaterehire.licensing@leeds.gov.uk'  
**Subject:** Enquiry regarding driver licences

Dear Licensing,

At Reading Borough Council Licensing we are looking at changing our processes dealing with renewal applications for hackney carriage and private hire vehicle driver's licences. Please can you advise me of what your policy is if a driver renews their licence in time but the application process is not completed before the current licence expires, e.g. due to outstanding DBS check etc.

Do you -

1. Issue the licence for a short period of time, e.g. 3 months until the application process is completed? If so, do you charge additional fees for the issue of the short licence? If so, how much?;
2. Issue an 'entitlement to drive' letter until the application process is completed;
3. Do not issue the licence until the application process is completed;
4. Have a different policy of dealing with this situation.

Many thanks for your help in this matter.

Regards

**Nicola Butler**

Licensing Enforcement  
Licensing Department | Directorate of Environment and Neighbourhood Services

Reading Borough Council  
Civic Centre  
Bridge Street  
Reading  
RG1 2LU

0118 937 2707

[Website](#) | [Facebook](#) | [Twitter](#) | [YouTube](#)



Please Note that Public Sector Protective Document Marking is in operation. All sensitive emails and documents originating from Local Authorities should be marked OFFICIAL or OFFICIAL-SENSITIVE. Documents & emails unmarked are to be treated with usual professional courtesy. Those marked OFFICIAL are to be circulated with consideration. Those marked OFFICIAL-SENSITIVE should usually be circulated only to those the author has included in the send field. Secure email will also be used as an additional control measure where applicable for OFFICIAL and OFFICIAL-SENSITIVE external emails.

**Butler, Nicola**

---

**Subject:** FW: Enquiry regarding driver licences

**From:** Laura Driscoll [mailto:[Laura.Driscoll@bracknell-forest.gov.uk](mailto:Laura.Driscoll@bracknell-forest.gov.uk)]

**Sent:** 06 December 2017 13:29

**To:** Butler, Nicola; 'Licensing South'

**Subject:** RE: Enquiry regarding driver licences

This is an EXTERNAL EMAIL. STOP. THINK before you CLICK links or OPEN attachments.

Hi Nicola

I think we do things quite differently to Reading.

If a driver applies to renew his licence, they would need to ensure everything is in date – medical, DVLA licence and DBS. However if someone's DBS application is in progress, we would count that as being 'in date'. If the DBS subsequently came back with an issue we would just revoke.

We would look at each case individually – for example if someone had a medical booked for the next week but their licence ran out today, we would probably renew the licence unless we had concerns about the person.

As a result we don't have to issue short term licences (we would only do that for Right to Work issues) or 'entitlement to drive' letters.

Hope that makes sense – happy to clarify further if required.

Thanks  
Laura

**Butler, Nicola**

---

**Subject:** FW: Enquiry regarding driver licences

**From:** Licensing [<mailto:Licensing@westberks.gov.uk>]

**Sent:** 06 December 2017 13:34

**To:** Butler, Nicola

**Subject:** RE: Enquiry regarding driver licences

This is an EXTERNAL EMAIL. STOP. THINK before you CLICK links or OPEN attachments.

Hi Nicola

We only issue 3 year licences except in the case of drivers who have fixed term visas.

For renewals we don't wait for the DBS to come back or the medical if they can provide us with an appointment date but we issue the licence with a letter advising with the following wording:

Your licence has been issued despite your DBS information not being available at time of issue. Should the results of the DBS / Medical be unfavourable towards the continuance of your licence, I will have no choice other than to withdraw the licence. Should this happen you will be informed as to your rights of appeal.

I've been here 10 years and we've never had a problem doing it this way and have never had to withdraw the licence.

Kind Regards

**Cheryl Lambert**  
Technical Officer - Licensing

**Public Protection Partnership**

A shared service provided by Bracknell Forest Council, West Berkshire Council and Wokingham Borough Council.

West Berkshire Council, Environmental Health & Licensing, Market Street, Newbury, Berkshire, RG14 5LD  
01635 519 184 | Ext 2184 | [cheryl.lambert@westberks.gov.uk](mailto:cheryl.lambert@westberks.gov.uk)

**Butler, Nicola**

---

**Subject:** FW: Enquiry regarding driver licences

**From:** Ward, Adam [<mailto:Adam.Ward@milton-keynes.gov.uk>]

**Sent:** 06 December 2017 16:33

**To:** Butler, Nicola

**Subject:** RE: Enquiry regarding driver licences

This is an EXTERNAL EMAIL. STOP. THINK before you CLICK links or OPEN attachments.

Hi Nicola,

Our Policy is that if they apply 2 months prior to expiry and the application is not completed we will issue a short term badge.

If they apply before expiry but less than 2 months we will make an assessment as to whether to grant a short term badge on the information we know – but they pay an extra £30 for this.

Obviously if the licence has expired then they are treated as a new applicant.

My understanding is that if they have applied to renew they are entitled to still drive – my predecessors considered that issuing a short term was the safest option. At a previous Council we issued a letter but allowed them to hold their expired badge, and I then decided to implement a system where we simply re-issue the badge based on the information known at that time and suspended or revoked if it altered.

Hope this helps

Adam Ward  
Senior Licensing Practitioner  
Milton Keynes Council

T: 01908 252723

F: 01908 528159

W: [www.milton-keynes.gov.uk/licensing](http://www.milton-keynes.gov.uk/licensing)

Milton Keynes Council | Taxi Licensing | Bleak Hall | Synergy Park | Chesney Wold | Milton Keynes | MK6 1LY

**Butler, Nicola**

---

**Subject:** FW: Enquiry regarding driver licences

**From:** Andrew Wake [<mailto:Andrew.Wake@basingstoke.gov.uk>]

**Sent:** 07 December 2017 09:27

**To:** Butler, Nicola

**Subject:** RE: Enquiry regarding driver licences

This is an EXTERNAL EMAIL. STOP. THINK before you CLICK links or OPEN attachments.

Hi Nicola, we issue the licence and include a paragraph on the issue letter explaining the licence is issued subject to satisfactory vetting check results and that suspension and revocation powers exist if vetting results come back unsatisfactory.

Regards, Andrew

---

Andrew Wake  
Senior Licensing Officer  
Basingstoke and Deane Borough Council



## Butler, Nicola

---

**From:** CED Taxi Private Hire Licensing <taxiprivat hire.lic@leeds.gov.uk>  
**Sent:** 08 December 2017 15:03  
**To:** Butler, Nicola  
**Subject:** RE: Enquiry regarding driver licences

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

This is an EXTERNAL EMAIL. STOP. THINK before you CLICK links or OPEN attachments.

Dear Nicola,

Thank you for your email regarding renewals and outstanding checks.

If a driver attends the office to renew either a vehicle or driver's licence 4-6 weeks before their renewal date we will, take payment for the DBS and book them in for an appointment to come in with their documents so the DBS can be done, we would hope that the DBS certificate will be back before the renewal date and so we can give a 1 year licence.

If the renewal date is closer we will take payment for the DBS and renew the badge/disc at the same time as we do the DBS check, we would then issue a 3 month licence which should allow enough time for the certificate to come back, once the certificate has come the driver needs to complete another renewal form and return it with the DBS certificate, we would then give them the rest of their licence. We do not charge any more money.

If the certificate is not back by the end of the 3 months, we would check the progress of DBS to determine which stage it is at, if it is still in progress we would issue a further 3 months temporary licence.

If the certificate has been issued but the driver is saying it they have not received it we would ask the driver to get a duplicate certificate and possibly give them a 1 month licence to give them opportunity to receive this.

If the outstanding documents are a Driving licence or a Group 2 medical, we would issue a 1 month temporary licence if there is sufficient evidence as to why these cannot be provided. For example the driving licence is with the DVLA for an amendment or the driver is waiting for an appointment with their GP for the medical to be completed.

I trust this has answered your question,

Kind Regards

Kate

Kate Brennan  
Licensing & Compliance Officer  
Taxi & Private Hire Licensing  
225 York Road  
Leeds  
LS9 7RY

---

**From:** Butler, Nicola [mailto:Nicola.Butler@reading.gov.uk]  
**Sent:** 06 December 2017 13:11  
**To:** Licensing South <licensing@southoxon.gov.uk>