

		<b>AGENDA ITEM NO.</b>																																								
<b>Report Cover Sheet</b>																																										
<b>Name of Meeting:</b>		Regulatory Committee																																								
<b>Date of Meeting:</b>		23rd January 2008																																								
<b>Report Title:</b>		EU driving licences used for hackney carriage/private hire licence applications																																								
<b>Summary of report:</b>		To ensure that EU applicants demonstrate their past background before being able to hold a hackney carriage/private hire licence.																																								
<b>For Further Information Please Contact (report author):</b>		David Davies, Licensing Services Manager, Members' Services. Tel: 01926 456107. david.davies@warwickdc.gov.uk																																								
<b>Would the recommended decision be contrary to the Policy Framework:</b>		No																																								
<b>Would the recommended decision be contrary to the Budgetary framework:</b>		No																																								
<b>Wards of the District directly affected by this decision:</b>		No																																								
<b>Key Decision?</b>		No																																								
<b>Included within the Forward Plan?</b>		No																																								
<b>Is the report Private &amp; Confidential</b>		No																																								
<b>Background Papers:</b>		None																																								
<b>Consultation Undertaken</b>																																										
Below is a table of the Council's regular consultees. However not all have to be consulted on every matter and if there was no obligation to consult with a specific consultee they will be marked as n/a.																																										
<table border="1"> <thead> <tr> <th>Consultees</th> <th>Yes/ No</th> <th>Who</th> </tr> </thead> <tbody> <tr> <td>Other Committees</td> <td>n/a</td> <td></td> </tr> <tr> <td>Ward Councillors</td> <td>n/a</td> <td></td> </tr> <tr> <td>Portfolio Holders</td> <td>Yes</td> <td>Councillor Kinson</td> </tr> <tr> <td>Other Councillors</td> <td>n/a</td> <td></td> </tr> <tr> <td>Warwick District Council recognised Trades Unions</td> <td>n/a</td> <td></td> </tr> <tr> <td>Other Warwick District Council Service Areas</td> <td>n/a</td> <td></td> </tr> <tr> <td>Project partners</td> <td>n/a</td> <td></td> </tr> <tr> <td>Parish/Town Council</td> <td>n/a</td> <td></td> </tr> <tr> <td>Highways Authority</td> <td>n/a</td> <td></td> </tr> <tr> <td>Residents</td> <td>n/a</td> <td></td> </tr> <tr> <td>Citizens Panel</td> <td>n/a</td> <td></td> </tr> <tr> <td>Other consultees</td> <td>n/a</td> <td></td> </tr> </tbody> </table>				Consultees	Yes/ No	Who	Other Committees	n/a		Ward Councillors	n/a		Portfolio Holders	Yes	Councillor Kinson	Other Councillors	n/a		Warwick District Council recognised Trades Unions	n/a		Other Warwick District Council Service Areas	n/a		Project partners	n/a		Parish/Town Council	n/a		Highways Authority	n/a		Residents	n/a		Citizens Panel	n/a		Other consultees	n/a	
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<b>Officer Approval</b> With regard to officer approval all reports must be approved by the report author's relevant director, Finance Services and Legal Services.		
<b>Officer Approval</b>	<b>Date</b>	<b>Name</b>
Relevant Director(s)	07/01/2008	Robert Inman
Chief Executive		n/a
CMT		n/a
Section 151 Officer		n/a
Legal	07/01/2008	Simon Best
Finance	07/01/2008	Marcus Miskinis
<b>Final Decision?</b>		No
<b>Suggested next steps (if not final decision please set out below)</b>		

## **1. RECOMMENDATION**

- 1.1 To require background checks to be made on applicants who apply for a hackney carriage/private hire licence when holding an EU driving licence.

## **2. REASONS FOR THE RECOMMENDATION**

- 2.1 Applicants who hold a UK driving licence and are resident in the UK are required to submit a Criminal Records Bureau Check before their application may be considered. They are also required to present their current driving licence for scrutiny. This is part of the Council's "fit and proper person" test.
- 2.2 The Driving Licence (Community Driving Licence) Regulations 1996 amended legislation to allow full driving licences issued by EU States to count towards the qualification requirements for the application of a licence. The Council is obliged to accept EU driving licences from applicants for private hire/hackney carriage vehicle licences.
- 2.3 In order that officers are able to carry out the same fit and proper person tests as required in 2.1 for UK driving licence holders, it is suggested that the following be adopted:
- should the non-United Kingdom Driving Licence or any supporting documentation submitted with any application require translation, then the applicant must arrange this at their own expense through an official translator, for example at the country's embassy.
  - in addition to the normal CRB Enhanced Disclosure, applicants who have resided in the UK for less than 5 years prior to the date of application should be required to provide a certificate of good conduct or an equivalent document from all countries in which they have lived within the previous 5 years. This should be officially translated into English at the applicant's expense. (The CRB website gives information about obtaining certificates of good conduct or similar documents from a number of countries).
  - applicants who have resided in the UK for less than 5 years prior to the date of application should be required to provide documentary evidence that they are permitted to work in the UK.

## **3. ALTERNATIVE OPTIONS CONSIDERED**

- 3.1 No alternatives have been considered.

## **4. BUDGETARY FRAMEWORK**

- 4.1 This report has no budgetary considerations for the Council.

## **5. POLICY FRAMEWORK**

- 5.1 To change the requirements for applications from EU licence holders when applying for private hire/hackney carriage driver licences.