

## **DFT STANDARD 13 - VEHICLE PROPRIETORS**

(para 7.2) - Licensing authorities should require a basic disclosure from the DBS and that a check is undertaken annually.

### **CURRENT POSITION**

No DBS certificate is currently asked of vehicle proprietors. The vast majority of our vehicle proprietors are also licensed drivers so they are already subject to the higher enhanced DBS check.

There are less than five applicants / vehicle proprietors who licence vehicles in Harlow for licensed drivers to use that are not licensed drivers themselves. The DBS Update Service is not available for Basic DBS certificates.

### **ACTION REQUIRED**

In order to comply with this standard any vehicle proprietor who does not hold a (hackney carriage or private hire) driver licence must provide an annual Basic DBS certificate to the Licensing Team.

Where the applicant is a company or partnership, a Basic DBS will be required for all directors or partners. Consideration needs to be given to whether vehicle proprietors licenced temporarily as a replacement vehicle following an accident to a current licensed vehicle requires an annual DBS. There are in excess of 10 national / regional companies on record who provide replacement vehicles after a driver sustains damage to his own licensed vehicle. The vehicle application is made in the company name. Details of the company are checked including registration on Companies House. The approach to replacement vehicles is a procedural matter that will be reviewed and considered in conjunction with the Essex Licensing Forum. The agreed approach will be specified in the new cohesive policy. The vehicle application form requires amendment to provide details of directors, or partners responsible for the management of the business.

New condition on vehicle licence to provide details of any change in directors or partners responsible for the management of the business where the licence holder is a company or partnership.

### **MEMBER RECOMMENDATION**

#### **Recommended that:**

- A** The Licensing Committee recommend to Full Council that any vehicle proprietor who does not hold a (hackney carriage or private hire) driver licence must provide an annual Basic DBS certificate to the Licensing Team;
- B** Subject to A, the timescale for the implementation of the new requirement to be delegated to the Environment and Licensing Manager, in consultation with the Chair of the Licensing Committee.

### **DEPARTURE FROM THE DFT STANDARD PROPOSED**

No