

Report of	Meeting	Date
Director People & Places	Licensing & Public Safety Committee	15 September 2010

HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER LICENCE CONDITIONS

PURPOSE OF REPORT

1. To seek Member approval for the revised Hackney Carriage and Private Hire Driver Licence conditions.

RECOMMENDATION(S)

2. It is recommended that Members approve the revised conditions relating to the application and issue of Hackney Carriage and Private Hire Driver Licences in so far as the renewal period and medical examination is concerned.
3. Members are asked to consider the most appropriate level of training qualification that is required as a condition of application and granting of a hackney carriage and private hire driver licence.
4. Members are asked to approve the changes with regard to the Knowledge Test and DVLA driver licence checks.
5. It is recommended that the proposed changes are implemented for all new driver licence applications from 1 October 2010

EXECUTIVE SUMMARY OF REPORT

6. Members will recall that at the Licensing and Public Safety Committee in March 2010, it was agreed that the current driver licence conditions be reviewed in consultation with the trade and in particular to look at the training requirements for drivers applying to be licensed.
7. A working group made up of officers and representatives of the taxi trade have met on several occasions to review the driver licence conditions and propose changes which ensure that the objectives set out in legislation for driver licences are met:
 - that the person is fit and proper
 - that the person is medically fit
 as well as determining what level training should be made a requirement for new driver applicants.
8. In addition and in order to reduce the administrative burden on drivers the period that a licence remains in force has been reviewed. It is proposed to increase the length of time a licence can be held prior to renewal to a period of 3 years.

REASONS FOR RECOMMENDATION(S)

(If the recommendations are accepted)

9. To provide a comprehensive set of conditions for application and licence holders to ensure that the legislative criteria for granting driver licences are met.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

10. None

CORPORATE PRIORITIES

11. This report relates to the following Strategic Objectives:

Put Chorley at the heart of regional economic development in the Central Lancashire sub-region		Develop local solutions to climate change.	
Improving equality of opportunity and life chances		Develop the Character and feel of Chorley as a good place to live	x
Involving people in their communities		Ensure Chorley Borough Council is a performing organization	x

BACKGROUND

12. The revised conditions are set out below and have been incorporated into a comprehensive set of conditions for Hackney Carriage and private hire driver licences as set out in Appendix A with the exception of the proposed training requirement which will be incorporated in the conditions following this Committees resolution

DRIVER TRAINING

13. New driver licence applicants are currently required to successfully complete the Councils knowledge test which covers taxi and private hire legislation, the highway code, customer care, disability awareness and topographical knowledge of the Chorley area. This test has recently been revised to reflect changes in recent legislation.
14. They are not required to provide any further evidence of training to demonstrate driver proficiency. With the introduction of the Disabled Discrimination Act and the desire for the Council to ensure that the public transport service provided by the hackney and private hire fleet, it is necessary to ensure that any new applicants for a driver licence meet a basic level of understanding of customer service.
15. Currently there are two recognised courses and qualifications that appear to meet the desire to provide potential licensed drivers with the skills and knowledge with regard to customer services and legal aspects of hackney carriage and private hire services.
 - Driving Standards Agency (DSA) – Two Part Course (Practical)
 - Part 1 – Practical Driving Assessment
 - Cost £80 (approx)
 - Availability- Test Centres in Preston / Blackburn
 - Curriculum includes- practical driving assessment to a standard higher than learner driver test based on taxi activities / passenger safety.
 - Part 2 – Wheelchair Exercise

- Cost £90 (approx)
 - Curriculum includes- practical exercise to demonstrate the driver is competent to operate the equipment safely. **Note- A wheelchair accessible vehicle is required to be provided for this test at the expense of the applicant.**
- BTEC – Level 2 Award - Transporting Passengers by Taxi and Private Hire (Classroom)
 - 4 Full Day Course
 - Cost £150 (approx)
 - Availability – Currently provided by Runshaw College
 - Curriculum includes customer service standards, equal opportunities, disability awareness, safety issues, taxi legislation, route planning, luggage.
16. The Department of Transport “Taxi and Private Hire Licensing Best Practice Guidance” encourages local authorities to carefully consider whether requiring further training / testing produces benefits which are commensurate with the costs involved for would-be-drivers. However, it does note that the DSA provides a driving proficiency assessment specifically designed for taxis. It also notes that there may well be advantage in encouraging drivers to obtain further training such as the BTEC as they will cover customer care and include how best to meet the needs of people with disabilities.
17. Should either or both of the above training elements be made conditional on the granting of a driver licence, the above costs would have to be found by the applicant.

DRIVER MEDICAL

18. The current medical examination required to be taken by new applicants and existing drivers at specified intervals is flawed. The current medical examination makes no requirement for the medical examiner to take account of the applicant’s full medical history. The medical examination form has been amended to ensure that the medical examiner declares that the applicant’s full medical history has been taken into account as part of the medical examination. Having taken medical history into account the medical examiner is then able to make a more comprehensive assessment of the applicant’s ability to operate as a licensed taxi driver. A revised medical examination report is attached as Appendix 2

DRIVER KNOWLEDGE

19. New applicants for a driver licence currently undertake a knowledge test which examines the applicant’s knowledge of the geography of the Chorley area. The current test has been in place for some years and is now deemed not to be fit for purpose. A revised knowledge test has been drafted which includes elements of taxi and road traffic law. For reasons of concealment to prospective applicants the test will not be published but will be provided for Members consideration as a separate paper to this report. Successful completion of the knowledge test has been included as a licence condition.

LICENCE PERIOD

20. The current period for which a hackney or private hire driver licence is valid is one year after which the licence must be renewed. In order to reduce the burden on drivers it is intended to extend the period to three years. The revised licence period has been included as a condition to the licence. The effect of this change has an impact on the fee structure for hackney and private hire licences and a revised fee structure is attached as Appendix 3.

DVLA LICENCE CHECKS

21. At the time of application for a hackney or private hire driver licence, applicants are required to provide a copy of their DVLA driver licence for scrutiny to determine any relevant previous convictions. Should the recommendation for new 3 year licence period be approved the Council will need the ability to scrutinise DVLA licences on a more frequent basis than afforded by a three year renewal interval.
22. A service that provides access to the most up to date DVLA records for any DVLA driving licence has been identified but requires hackney and private hire driver licence applicants to sign a mandate, valid for three years, allowing the Council to access their driving licence records. The hackney and private hire driver licence application form has been amended to facilitate this.
23. The cost of this service is £7.50 per application for a three year period and will be met out of the current licensing fee receipts.

IMPLICATIONS OF REPORT

24. This report has implications in the following areas and the relevant Directors' comments are included:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal	x	No significant implications in this area	

COMMENTS OF THE DIRECTOR OF TRANSFORMATION

25. Local Authorities should regularly review their conditions as they relate to drivers. This review has been done in consultation with the trade and the Authority are entitled to adopt amended conditions where it is reasonable to do so. The steps taken to consult and the proposed conditions are reasonable.

JAMIE CARSON
DIRECTOR PEOPLE AND PLACES

There are no background papers to this report.

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