

Report of	Meeting	Date
Director of People and Places	Licensing and Public Safety Committee	9 March 2011

## DRIVER TRAINING – WHEELCHAIR USERS

### PURPOSE OF REPORT

1. To advise Members of representations from the taxi trade concerning the recently introduced training and testing requirements for new hackney and private hire driver applications.

### RECOMMENDATION(S)

2. Members are asked to retain the training requirements condition, whilst noting the additional effort and modest expense that these requirements mean for new driver licence applicants.

### EXECUTIVE SUMMARY OF REPORT

3. At the Licensing and Public Safety Committee on 15 September 2010, Members approved a new set of conditions for hackney and private hire driver licence applications which included a condition for all drivers to undergo the Driving Standards Agency (DSA) two part test including a test relating to wheelchair users and safe wheelchair transit on hackney and private hire vehicles. The Committee decision is reproduced below:
4. *“To adopt the policy that all new drivers successfully complete both parts of the Driving Standards Agency training course as a condition of the grant of a driver licence. This policy will be reviewed after twelve months at which time it would be considered if the training course adequately met the skills and knowledge with regards to customer services and legal aspects of hackney carriage and private hire services or if the policy should also include as a condition for the grant of a licence the successful completion of the BTEC Level 2 Award – Transporting Passengers by Taxi and Private Hire.”*
5. This condition came into force on 1 November 2010 and since this time the Council has received two applications where the DSA test has been successfully completed as part of the application.
6. However due to representations which have been received from the taxi trade claiming the condition is unfair and imposes additional unnecessary burden on new driver licence applicants the Council has been asked bring forward the review. In particular the concerns voiced by the trade relate to the location of the test centre and the need to provide a wheelchair accessible vehicle as part of the test.
7. In order to undertake the DSA test drivers are required to book a test date with the DSA and present with a wheelchair accessible vehicle on that test date. It is understood the wheelchair handling and loading element of the test takes approximately twenty minutes.
8. Currently this test is not available at the Chorley DSA centre and applicants have to travel to Bury which is the next nearest centre capable of providing the test. Officers have made



enquiries and the test is likely to be available in Chorley later this year. In regard to the provision of a wheelchair accessible vehicle, should new applicants not have a suitable vehicle available to undertake the test, officers have determined that a local Bury Hackney Carriage company is happy to provide a vehicle at the test centre by appointment at a modest cost. Details are contained at Appendix A

9. In addition the Council's stance on this condition has received support from the Chorley and South Ribble Disability Forum and Appendix B contains correspondence to that effect.
10. The Dept of Transport Best Practice Guidance relating to taxi licensing recognises that individual local authorities will want to consider training and testing on driver standards over and above the standard driving licence:

***“Driving Proficiency***

*Para 70. Many local authorities rely on the standard car driving licence as evidence of driving proficiency. Others require some further driving test to be taken. Local authorities will want to consider carefully whether this produces benefits which are commensurate with the costs involved for would-be drivers, the costs being in terms of both money and broader obstacles to entry to the trade. However, they will note that the Driving Standards Agency provides a driving assessment specifically designed for taxis.”*

11. In introducing the current training and test requirements the Council can demonstrate best practice in this area and should consider very carefully whether a change is desired or appropriate.
12. Overall Members will recognise that there is an additional burden on new driver applicants in order to meet the application requirements, but this burden should not be removed at the expense of licensing untrained and untested drivers in the important area of customer service to wheelchair users.

**REASONS FOR RECOMMENDATION(S)**

**(If the recommendations are accepted)**

13. To ensure that all new drivers are suitably trained and tested to a recognised standard for handling wheelchairs and their users in a safe and customer friendly manner.

**ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

14. The introduction of a two tier driver licence system has been considered where applicants can apply for one of two licence types, one which meets the wheelchair condition and one that does not.
15. Officers believe this would introduce an over bureaucratic system and one which would be difficult to police and enforce. In addition officers believe that drivers ought to be trained and tested to the same standard to ensure they are able to provide a consistent and versatile service to the public.
16. A two tier system would lead to additional Council resources being required to administer and enforce which would have to be passed on to the trade in increased fees and charges.

**CORPORATE PRIORITIES**

17. This report relates to the following Strategic Objectives:

Strong Family Support		Education and Jobs	
-----------------------	--	--------------------	--

Being Healthy		Pride in Quality Homes and Clean Neighbourhoods	
Safe Respectful Communities		Quality Community Services and Spaces	
Vibrant Local Economy		Thriving Town Centre, Local Attractions and Villages	
A Council that is a consistently Top Performing Organisation and Delivers Excellent Value for Money			

## IMPLICATIONS OF REPORT

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

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

## COMMENTS OF THE HEAD OF GOVERNANCE

19. The responsibility for the setting of local conditions on Taxi (used in its ordinary meaning) Licences in the Borough of Chorley lies with the Licensing and Public Safety Committee of Chorley Council. In deciding on the appropriate conditions the Committee are obliged to be reasonable both in the consideration of the public interest and the effect on the drivers. It is for the Committee to decide whether the benefit to the public in having highly qualified taxi drivers outweighs the impact on the applicant drivers.

## COMMENTS OF THE HEAD OF POLICY AND COMMUNICATIONS

20. The Council has a duty under the Equality Act 2010 to have 'due regard' to the need to eliminate discrimination and promote equality for those people with identified 'protected characteristics'; this includes disabled people. As long as it is deemed proportionate, the Council is able to introduce changes to policies to meet the needs of disabled people.

JAMIE CARSON  
DIRECTOR PEOPLE AND PLACES

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Simon Clark	5732	14 February 2011	Training