

Licensing Committee

Monday 1st July
2013
7.00 pm

Committee Room 2
Town Hall
Redditch



www.redditchbc.gov.uk

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- Access to a summary of the rights of the public to attend meetings of the Council and its Committees etc. and to inspect and copy documents.
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- Unless otherwise stated, all items of business before the Executive Committee are Key Decisions.
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If you have any queries on this Agenda or any of the decisions taken or wish to exercise any of the above rights of access to information, please contact

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LICENSING COMMITTEE

1st July 2013

7.00 pm

Committee Room 2 Town Hall

Agenda

Membership:

Cllrs:	Phil Mould (Chair)	Andrew Fry
	Alan Mason (Vice-Chair)	Pattie Hill
	Joe Baker	Gay Hopkins
	Roger Bennett	Wanda King
	Michael Braley	Brenda Quinney
	Michael Chalk	

1. Apologies	To receive the apologies of any Member who is unable to attend this meeting.
2. Declarations of Interest	To invite Councillors to declare any interests they may have in items on the agenda.
3. Minutes (Pages 1 - 4)	To confirm as a correct record the minutes of the meeting of the Licensing Committee held on 11th March 2013. (Minutes attached)
4. Licensing Annual Report (Pages 5 - 8)	To consider an update on the functions carried out under the Licensing Act 2003, Gambling Act 2005 and other aspects of Licensing and to inform the Committee on any issues anticipated in the ensuing year. All Wards
5. Private Hire Vehicle Policy - Multi Seated Wheelchair Accessible Vehicles - Consultation Feedback (Pages 9 - 34)	To consider the feedback on the responses received to the recent consultation with the taxi trade on the draft Private Hire Vehicle Policy. All Wards
6. Hackney Carriage and Private Hire Disability Awareness Training - Consultation Feedback (Pages 35 - 54)	To consider the feedback on the responses received to the recent consultation carried out with Redditch Taxi Trade on the proposal to make disability awareness training a mandatory requirement for Hackney Carriage and Private Hire vehicle drivers in the Borough. All Wards

LICENSING

Committee

1st July 2013

<p>7. Licensing Committee Work Programme 2013/2014 (Pages 55 - 56)</p>	<p>To consider the Committee's Work Programme for the current municipal year 2013/2014.</p>
<p>8. Exclusion of the Public</p>	<p>Should it be necessary, in the opinion of the Chief Executive, to consider excluding the public from the meeting in relation to any items of business on the grounds that exempt information is likely to be divulged, it may be necessary to move the following resolution:</p> <p>“that, under S.100 I of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, the public be excluded from the meeting for the following matter(s) on the grounds that it/they involve(s) the likely disclosure of exempt information as defined in the relevant paragraphs (<i>to be specified</i>) of Part 1 of Schedule 12 (A) of the said Act, as amended.”</p> <p>These paragraphs are as follows:</p> <p>Subject to the “public interest” test, information relating to:</p> <ul style="list-style-type: none">• Para 1 – <u>any individual</u>;• Para 2 – the <u>identity of any individual</u>;• Para 3 – <u>financial or business affairs</u>;• Para 4 – <u>labour relations matters</u>;• Para 5 – <u>legal professional privilege</u>;• Para 6 – <u>a notice, order or direction</u>;• Para 7 – the <u>prevention, investigation or prosecution of crime</u>; <p>may need to be considered as ‘exempt’.</p>



LICENSING
COMMITTEE

11th March 2013

MINUTES

Present:

Councillor Andrew Fry (Chair), Councillor Luke Stephens (Vice-Chair) and Councillors Michael Chalk, Pattie Hill, Roger Hill and Gay Hopkins

Officers:

C Flanagan, S Garratt and S Alom

Committee Officer:

P Ross

13. APOLOGIES

Apologies for absence were received on behalf of Councillors Joe Baker and Juliet Brunner.

14. DECLARATIONS OF INTEREST

There were no declarations of interest.

15. MINUTES

RESOLVED that

the minutes of the meeting of the 17th December 2012 be confirmed as a correct record and signed by the Chair.

16. PRIVATE HIRE VEHICLE POLICY - MULTI SEATED WHEELCHAIR ACCESSIBLE VEHICLES

Members received a report in respect of a proposed 12 week consultation with the taxi trade and other agencies on the draft Private Hire Vehicle Policy, as detailed at Appendix 1 to the report.

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Chair

LICENSING

C O M M I T T E E

11th March 2013

The Licensing Manager presented the report and in doing so highlighted that following on from the Licensing Committee meeting on 17th December 2012; and in response to the review undertaken by the Access for Disabled People Task Groups recommendations. Officers had been tasked to prepare a report setting out the options for the offering of licences to operate adapted vehicles for a longer period of time than for standard vehicles.

The Licensing Manager informed Members that the Access for Disabled Task Group had expressed concern at the relatively low number of adapted vehicles currently in the taxi fleet that operated in Redditch. The Task Group believed that it would encourage an increase in the number of adapted vehicles if the Council offered an extended period of time for adapted vehicles and extended the 9 year period currently offered to 12 years from the date of first registration.

In response, Councillor P. Hill highlighted that Members of the Licensing Sub-Committee (Taxis) had recently discussed with officers the recent increase in the number of age exemption vehicles being presented to the Sub-Committee.

The Licensing Manager responded to Members' questions with regard to the 12 week consultation period and the possibility of reducing the consultation period to 6 weeks. There followed further discussion in respect of a proposed reduction in the consultation period and the number of drivers, owners and agencies to be consulted with. The Licensing Manager clarified that a 6 week consultation period was sufficient for officers to consult with the taxi trade and other agencies.

RESOLVED that

- 1) Officers undertake a 6 week consultation with the taxi trade and other agencies on the draft Private Hire Vehicle Policy; and**
- 2) Officers prepare a report detailing the findings of the 6 week consultation to be submitted to the next meeting of the Licensing Committee.**

LICENSING

C O M M I T T E E

11th March 2013

17. HACKNEY CARRIAGE AND PRIVATE HIRE - DISABILITY AWARENESS TRAINING

Members received a report that provided an update on the work undertaken by licensing officers in identifying a suitable training provider to administer disability awareness training on behalf of Redditch Borough Council to Hackney Carriage and Private Hire vehicle drivers and to consult with the Redditch Taxi Trade on the introduction of Disability Awareness training.

The Licensing Manager presented the report and in doing so highlighted that following on from the Licensing Committee meeting on 17th December 2012; and in response to the review undertaken by the Access for Disabled People Task Groups recommendations. Officers had been tasked to prepare a report setting out the options for offering disability awareness training to hackney carriage and private hire vehicle drivers operating within the Borough. The Licensing Manager drew Members' attention to the Task Group's recommendation that any training offered either by or on behalf of Redditch Borough Council should not be mandatory.

The Licensing Manager informed Members that from the information gathered from the training providers contacted; Worcestershire County Council (WCC) Driver Training could undertake the Disability Awareness Training on behalf of Redditch Borough Council in the most efficient, convenient and cost effective manner to both the drivers and the Local Authority. The training could be provided at a cost of £20.00 per person with the fee paid directly to WCC Driver Training. The Licensing Manager further informed Members that WCC Driver Training had suggested a room be made available at Redditch Borough Council. This would enable the training to be delivered within the locality.

The training would provide Redditch taxi drivers with the knowledge and skills required, as detailed at section 3.9 of the report, to transport customers who may have a disability both safely and confidently. Attendees would receive a certificate of attendance. The training would also ensure compliance with the requirements of the Equality Act 2010 and Redditch Borough's Hackney and Private Hire conditions of licence.

The Principal Solicitor advised Members that, as detailed in the report, a consultation period of 12 weeks would be required as the recommendation may constitute a change to licensing policy in the Borough. All interested parties; taxi drivers, vehicle owners, taxi operators, West Mercia Police and groups representing people with disabilities would need to be consulted with.

LICENSING

C O M M I T T E E

11th March 2013

Members questioned if all drivers would be required to undertake the training or only those who drove wheelchair accessible vehicles. The Licensing Manager clarified to Members that all drivers would be required to undertake the training.

The Licensing Manager responded to Members' questions in respect of the cost to the authority in providing a room for the training, taking into account the number of sessions that would be required if all drivers were to receive the training. The Licensing Manager informed Members that approximately 30 to 40 drivers would be trained at each session. The Principal Solicitor drew Members' attention to the requirements of the Equality Act 2010 and that by providing a room and endorsing the training; the Authority would be paying due regard to the needs of people with disabilities living in the Borough in line with these legislative requirements.

Further discussion followed on the Task Groups recommendation that the training should not be made mandatory. Members agreed that given the low cost of the training; and taking into account that other Licensing Authorities across the county had a mandatory requirement of some form of disability awareness training, the training should be made mandatory.

RESOLVED that

- 1) **Officers undertake a 12 week consultation with the Redditch Taxi Trade on the proposal to make disability training awareness a mandatory requirement for Hackney Carriage and Private Hire vehicle drivers in the Borough; and**
- 2) **Officers prepare a report on the findings of the 12 week consultation to be submitted to a future meeting of the Licensing Committee.**

The Meeting commenced at 7.00 pm
and closed at 7.31 pm

**LICENSING
COMMITTEE**

1st July 2013

LICENSING ANNUAL REPORT

Relevant Portfolio Holder	Councillor Rebecca Blake
Portfolio Holder Consulted	Yes
Relevant Head of Service	Steve Jordan – Head of Worcestershire Regulatory Services
Wards Affected	All Wards
Ward Councillor Consulted	N/A
Non-Key Decision	

1. SUMMARY OF PROPOSALS

To provide a report on the activities under the Licensing Act 2003, Gambling Act 2005 and other aspects of Licensing and to inform the Committee on any issues anticipated in the ensuing year as required under the Council's Licensing Act 2003 and Gambling Act 2005 Policies.

2. RECOMMENDATIONS

Members are asked to RESOLVE;

The contents of the licensing Annual Report 2012/1013 be noted.

3. KEY ISSUES

Financial Implications

3.1 None.

Legal Implications

3.2 None

Service / Operational Implications

3.3 Since 1st June 2010 Worcestershire Regulatory Services Licensing Team has taken over operational delivery of the statutory functions of licensing and enforcement of regulated activities and businesses operating under the Licensing Act 2003 on behalf of Redditch Borough Council. These functions cover premises which sell and supply alcohol, provide regulated entertainment and late night refreshment, gambling premises, gaming machines and lotteries. The Licensing Team also deals with the operation and administration of Hackney Carriage/Private Hire vehicles, drivers and Operator's licenses, Street and House to House Collections. The Council retains full policy and statutory responsibility for all licensing functions.

**LICENSING
COMMITTEE****1st July 2013**

- 3.4 Under the terms of the Licensing Act 2003 and the Gambling Act 2005, each local authority is required to prepare and publish a licensing policy which has to be reviewed every five years. At the end of 2010 the review of the Licensing Act 2003 policy was completed with only minor changes having been made. The Gambling Act 2005 policy was reviewed during 2012 again with only minor amendments. It is anticipated that future reviews will further align the policies of the partner Councils.

Licensing Act 2003

- 3.5 The Licensing Act 2003 transferred the liquor licensing functions from the Magistrate's Court to the Local Authority and consolidated these activities with entertainment licensing legislation, the provision of late night refreshment, cinemas and theatres.
- 3.6 The number of new licenses issued and granted by Redditch Borough Council in the year 2012/2013 are:

Personal Licenses	New	40	Total	599
Premises Licenses	New	6	Total	228
Club Premises Certificates	New	1	Total	24
Temporary Event Notices			Total	72

- 3.7 The Licensing Sub Committee created by the Licensing Act 2003 to deal with applications, variations and reviews of licensed premises, met on four occasions during the year 2012/13 all within the statutory time limits – these were all new applications or variation applications where objections could not be mediated out.

Gambling Act 2005

- 3.8 Last year saw the continued implementation of the Gambling Act 2005. It replaced most of the existing law relating to gambling in Great Britain and much like the Licensing Act 2003 aimed to put in place an improved, more comprehensive structure of gambling regulation. Once implemented the Act transferred the licensing of gambling premises from the local Magistrates Court to the Council. The Licensing Team now issue premises licenses for the following; bingo halls, betting shops, adult gaming centres, family entertainment centres and casinos.

**LICENSING
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3.9 The numbers of premises which have continued to be licensed by this Authority under the Gambling Act are:

Betting Premises	New	1	Total	11
Bingo Premises	New	0	Total	2
Adult Gaming Centres	New	0	Total	3
Family Entertainment Centres	New	0	Total	0
Casinos	New	0	Total	0

3.10 Again all yearly maintenance fees as set out in the Gambling Act 2003 which have been set by the Local Authority for the year ending 2012/13 have been received by the Authority.

Taxi Licensing

3.11 The Licensing Team is also responsible for the operational function of the licensing and enforcement of Hackney Carriage and Private Hire Vehicles, drivers and Operators.

3.12 An Enforcement exercise in conjunction with VOSA, West Mercia Police and the Licensing Team showed that out of the vehicles stopped and examined at the Depot, no vehicles were found with serious faults, with minor issues dealt with by way of verbal warnings at the road side.

3.13 The number of licensed vehicles and drivers has remained fairly consistent and at present the following number of licenses are valid.

	11/12	12/13
Hackney Carriage Vehicles	202	202
Private Hire Vehicles	154	156
Dual Hackney Carriage/Private Hire Drivers	403	432
Private Hire Operators	27	22

**LICENSING
COMMITTEE**

1st July 2013

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- 3.14 Licensing Officers keep in regular contact with the appointed taxi trade representatives – by phone and one to one meetings when necessary.
- 3.15 Worcestershire Regulatory Services Licensing Team members regularly attend and represent Redditch Borough Council at a number of local and regional meetings, such as the Institute of Licensing meetings, the Regional Taxi Licensing Forums and other neighbouring authority groups, which continue to prove to be invaluable, on providing information on national and regional licensing matters inclusive of upcoming changes in any licensing legislation.

4. RISK MANAGEMENT

4.1 None

5. APPENDICES

5.1 None

AUTHOR OF REPORT

Name: Sue Garratt - Licensing Manager.
Worcestershire Regulatory Services
E Mail: sue.garratt@worcsregservices.gov.uk
Tel: (01527) 534196

LICENSING
COMMITTEE

1st July 2013

**PRIVATE HIRE VEHICLE POLICY –
MULTI SEATED WHEELCHAIR ACCESSIBLE VEHICLES**

Relevant Portfolio Holder	Councillor Rebecca Blake
Portfolio Holder Consulted	Yes
Relevant Head of Service	Steve Jordan – Head of Worcestershire Regulatory Services
Wards Affected	All Wards
Ward Councillor Consulted	N/A
Non-Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 To provide Members with feedback on the responses received during the consultation with the taxi trade on the draft Private Hire Vehicle Policy.

2. RECOMMENDATIONS

The Committee is asked to RESOLVE:

Whether or not to approve the draft Private Hire Vehicle Licensing Policy at appendix 1 to come into effect from 1st August 2013.

3. KEY ISSUES

Financial Implications

- 3.1 There are no financial implications to Redditch Borough Council.

Legal Implications

- 3.2 There are no legal implications to the Council arising from this report however, should an applicant feel aggrieved by any decision made by a Sub Committee then the applicant may apply for a Judicial Review.

Service / Operational Implications

- 3.3 On the 17th December 2012, at the Overview & Scrutiny Committee it was recommended that taxi proprietors who operate adapted vehicles should be offered a licence for an extended period of time over the standard period of time for vehicles (currently 9 years) from the date of first registration.

- 3.4 In November 2011, members gathered data on adapted vehicles which showed that there were 4 adapted Hackney Carriages and 10 adapted Private Hire vehicles, representing approximately 2% of the taxi fleet, compared to Worcester City Council (30%) and Wyre Forest District Council (50%). These figures have not changed to date.
- 3.5 The Access for Disabled People Task Group was concerned about the relatively low number of adapted vehicles currently in the taxi and private hire fleet operating in Redditch.
- 3.6 A key incentive that the group believes would encourage an increase in the number of adapted vehicles would be to offer licenses for an extended period of time for adapted vehicles. In this context, adapted vehicles would be awarded licenses to operate for a number of years longer than standard vehicles.
- 3.7 A higher age criteria could enable a taxi company to justify the significant expenditure required to invest in an adapted vehicle, which costs more than a standard vehicle as the costs involved would be offset by the additional trade that could be attracted over an extended period of time.
- 3.8 Neighbouring Authorities provide:

Licensing Authority	Wheelchair Accessible - Number of years
Bromsgrove District Council	10 years
Wychavon District Council	12 years
Malvern District Council	10 year
Worcester City Council	12 years
Wyre Forest District Council	7 years

- 3.9 Officers, having considered the feedback from Members, the Hackney Carriage and Private Hire trade and the Overview and Scrutiny Committee proposed to overhaul the Private Hire Vehicle Policy to incorporate adapted vehicles (wheelchair accessible) and multi seated vehicles and prepared a draft policy which can be found at appendix 1.
- 3.10 This draft policy was considered by the Licensing Committee on 11th March 2013 and resolved that officers undertake a 6 week consultation with the taxi trade and other agencies on the draft Private Hire Vehicle Policy. Officers were also asked to prepare a report detailing the findings of the consultation, to be submitted to the next meeting of the Licensing Committee.

- 3.11 The consultation exercise began on 1st April 2013 and was conducted alongside another consultation with the taxi trade on a proposal to make disability awareness training a mandatory requirement for Hackney Carriage and Private Hire vehicle drivers in the Borough.
- 3.12 17 of the responses received during the consultation exercise made comment on the draft Private Hire Vehicle Policy. These can be seen at appendix 2.
- 3.13 The vast majority of respondents are generally in favour of the proposal to extend the age limit criteria for adapted vehicles. However a number made additional comments.

Some of the comments made by the respondents were:

- Would like the additional inspection costs for older vehicles subsidised in some way
 - Consideration should still be given to extending the life of vehicles that reach 12 years of age if they remain in good condition.
 - The extension of age limits should be applied to all private hire vehicles, not just those adapted to carry wheelchair bound passengers
 - The extension of age limits should also be applied to hackney carriage vehicles that are adapted to carry wheelchair users in their wheelchairs.
- 3.14 One letter was received from two joint respondents who are against the proposal on the grounds that it is “false economy” to spend money repairing older vehicles and that they would prefer to invest in newer vehicles. The respondents also raise “green issues” and suggest that they cannot understand why the Council would promote old technology.
- 3.15 In relation to the consultation responses received, Members should note that it would remain open to the owner of any particular vehicle to ask the Council to depart from its policy and licence that vehicle even though it exceeds the upper age limit.
- 3.16 Members may also recall that the idea of extending the life of wheelchair accessible vehicles was to incentivise the provision of such vehicles. It is not proposed that the age limit should be extended for all vehicles. This would defeat the object of this exercise but in any event is an entirely different proposal, which officers would not support.

- 3.17 Members may also want to give consideration to the suggestion that the age-limit criteria be amended in relation to hackney carriage vehicles that are capable of carrying a wheelchair user in their wheelchair.

4. RISK MANAGEMENT

- 4.1 None

5. APPENDICES

- 5.1 Appendix 1 - Draft Private Hire Vehicle Policy
Appendix 2 - Consultation responses received

AUTHOR OF REPORT

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Manager.
Worcestershire Regulatory Services

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Tel: (01527) 534196

Local Government (Miscellaneous Provisions) Act 1976

Private Hire Vehicle Licensing Policy

Adopted by Licensing Committee, Draft.



The Council will licence any suitable motor vehicle for use as a private hire vehicle.

The licence will be granted for a period not exceeding twelve months.

The onus is on the vehicle owner to ensure the vehicle meets the following criteria; failure to do so, may lead to refusal of licence or suspension of that vehicle.

For the purposes of this policy a suitable motor vehicle means a fully enclosed four wheel passenger vehicle with a M.1 or M.2 European Community Whole Vehicle Type Approval (ECWVTA) or a UK Low Volume Approval, or an Individual Vehicle Approval (IVA) and which meets the following criteria;

- manufactured from new as a right hand drive vehicle;
- constructed or adapted to seat in comfort at least 4 passengers and not more than 8 passengers;
- has sufficient doors of sufficient size to allow safe ingress and egress of passengers;
- where only one passenger door is fitted, that door is on the near-side (kerbside) of the vehicle;
- has an engine capacity of more than 1250cc;
- has no side facing seats;
- each provided seat has a minimum width of 431 mm (17 Inches) per passenger measured at the narrowest part of the seat and each passenger seat is fitted with a seat belt
- each provided seat is accessible without the need to remove or fold, or tip up any other seat;
- the boot or luggage compartment is of sufficient size to carry a reasonable amount of luggage relative to the seating capacity;
- the boot or luggage compartment is separated from the passenger compartment by a suitable barrier

Before licensing a motor vehicle as a private hire vehicle the authorised officer will also be satisfied that the following requirements are met:

- The applicant must be the proprietor or part-proprietor of the vehicle. “Proprietor” means the legal owner (or part-owner) or the person (or registered company) having possession of the vehicle under the terms of a hire purchase agreement.
- The vehicle is not currently licensed by another local authority as a private hire vehicle or hackney carriage.
- The vehicle is not of such design or appearance as to lead any person to believe it is a hackney carriage.
- The vehicle has valid certificate (or cover note) of motor insurance cover for private hire use.
- The vehicle must adhere to the National Inspection Standards, adopted by this Council and written by the Technical Officer Group in conjunction with the Public Authority Transport Network, the Freight Transport Association and endorsed by VOSA.
- The vehicle is not more than 6 years old (72 months) on the day the licence is issued.
- Vehicles more than 9 years old (108 months) from date of first registration of the vehicles as new by the Driver and Vehicle Licensing Agency will not be licensed.
- Vehicles constructed or adapted to load and convey wheelchair bound passengers will be licensed up to 12 years old (143 months) from the date of first registration as new by the Driver and Vehicle Licensing Agency.
- Any vehicles up to the age of 9 years will be subject to two vehicle inspection tests per year; over the age of 9 years the vehicle will be subject to three tests per year.

The age of the vehicle is reckoned from the date of first registration shown on the Vehicle Registration Certificate (V5 or V5c).

- Any owners or proprietor of a prestigious vehicle such as a veteran car, Limousine, or Rolls Royce, or other unusual vehicle such as a rickshaw or motor cycle and sidecar which is intended for use at a special occasion or special event, who is aggrieved by these age restrictions may apply to the Licensing Officer who may exempt the vehicle from the restrictions. Such vehicles will be required to undergo an assessment at Crossgates Garage, be

in good condition and be suitable for its intended use. Each application will be judged on its merits.

- The vehicle, if constructed or adapted for wheelchair bound passengers, can convey them securely in either the forward or rear facing position and all wheelchair restraints are BSI or CE marked, in good condition and operate correctly. Lifting equipment, if fitted for the purpose of loading passengers into the vehicle, complies with the requirements of the Lifting Operations and Lifting Equipment Regulations 1998 and is certified as safe.
- All requests for advertising are submitted by the owner for prior written approval by the authorised Officer. Advertising must not relate to alcohol tobacco or any matter which may cause an offense.
- The plate identifying the vehicle as a private hire vehicle and stating the number of persons permitted to be carried therein, shall be securely fitted externally at the rear of the vehicle, be clearly visible and below the window line. A frame holder will be permanently fixed to the vehicle and the licence plate fitted to the holder in the prescribed manner.
- The vehicle if converted or modified after manufacture to run on an alternate fuel supply, a valid fuel conversion installation certificate or safety report is presented for inspection and any additional fuel cut-off switches are correctly identified.

Dear Sayful

In response to your letter regarding disability awareness

We would never be interested in driving vehicles over nine years old

We believe it would be false economy preferring to use our capital to buy newer taxis rather than repairing ageing vehicles

With green issues in mind we can not understand why you would promote old technology.

On the subject of your training proposals

We feel it is all about the individual taxi driver,

If you are not caring, helpful, compassionate , understanding a £20 training session will do nothing

I have just had my recent mot at crossgate and noticed a sign to taxi drivers saying no spitting just how are you going to train these sort of people

We deal with the disabled every day and each person requires a different level of care.

If people have to be trained to help this group of people maybe they should not have been issued a licence, consequently if you hear bad reports remove their badge.

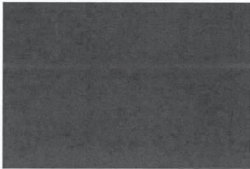
On another note how do you differentiate from the disabled and the elderly.



CONSULTATION RESPONSE FORM

Thank you in advance for completing this response form

Name & Address



REDDITCH BOROUGH COUNCIL
28 MAY 2013
TOWN HALL
ROOM

The Licensing Authority proposed to extend the age limit criteria to licence adapted vehicles from 9 years to 12 years from the date of first registration, providing the vehicle goes through a Vehicle Safety check (and passes) at the council's local garage 3 times a year. It was decided at the Licensing Committee on the 11th March 2013 that this review of the policy will go through a 6 weeks consultation which starts on the **1st April 2013** and ends on the **12th May 2013**. If you have any concerns or wish to comment on this matter, please write your concerns in the box below and send this letter in to Licensing Unit, Town Hall, Walter Stranz square, Redditch, B98 8AH before the closing date.

I AM HAPPY TO HAVE THE 3 TESTS, BUT COULD THE THIRD TEST BE SUPPLEMENTED SOMEHOW AS FARES HAD NOT BEEN INCREASED FOR SOME YEARS?

Redditch Borough Council Licensing Authority have also proposed to incorporate Disability Awareness Training as part of their procedure to becoming a Hackney Carriage or Private Hire Driver in Redditch, and have proposed to make this mandatory for all drivers licensed at present and for future drivers. Worcestershire County Council Driver Training will provide this training at £20.00. The training will be provided at Redditch. The committee have decided that this proposal will go through a 12 week consultation starting **1st April 2013** and ending on **23rd June 2013**.

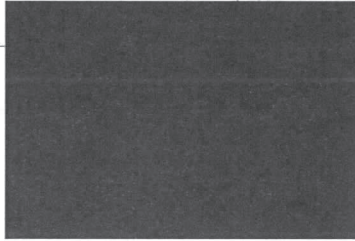
I AM AGREEABLE TO THE TRAINING BUT AGAIN THIS IS AN EXTRA COST AND I HAVE BEEN CARRYING DISABLED PASSENGERS FOR NEARLY 9 YEARS, WHAT EXTRA TRAINING WILL I NEED THAT I DO NOT DO NOW?

If you have any concerns please give us a call on 01527 881395 and ask for Licensing for the Redditch area.

CONSULTATION RESPONSE FORM

Thank you in advance for completing this response form

Name & Address



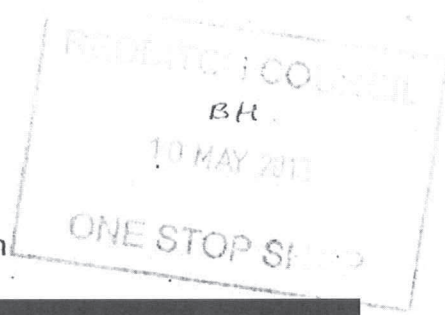
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it is very good i think still look at the vehicle after this age 12 years and if the vehicle is in good nick should allowed longer than that age.

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very good..

If you have any concerns please give us a call on 01527 881395 and ask for Licensing for the Redditch area.



CONSULTATION RESPONSE FORM

Thank you in advance for completing this response form

Name & Address



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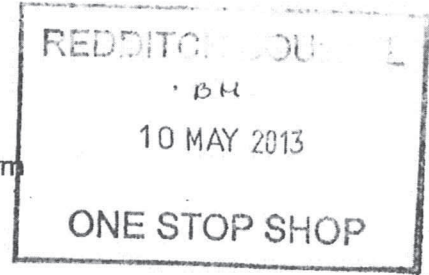
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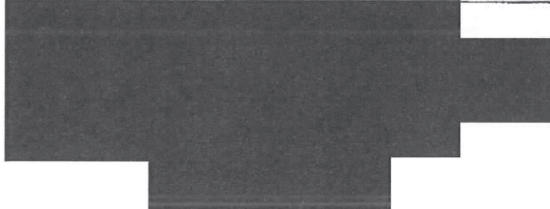
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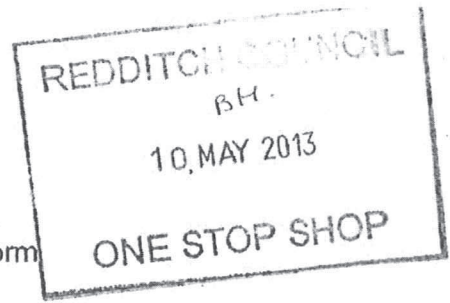
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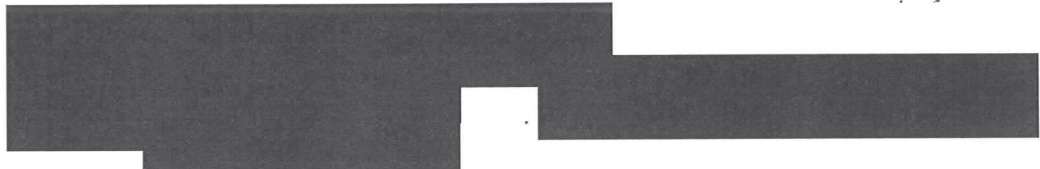
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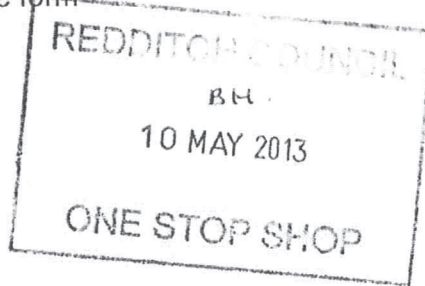
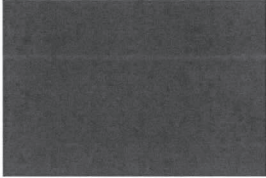
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its good thing so disabled people have more vehicle to travel.

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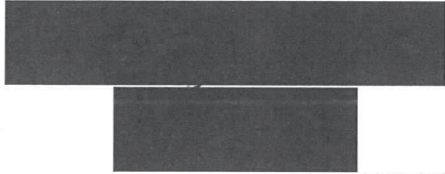
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Yes its good

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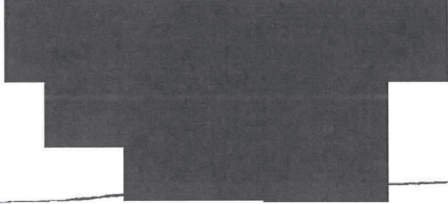
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I think it is better

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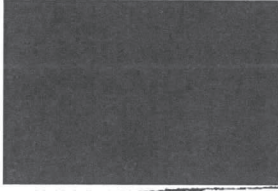
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it is good but if the vehicle is in good condition it should allowed for longer age. is well

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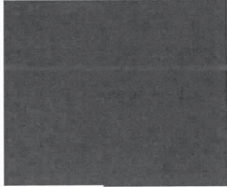
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If the car is more than 9 yrs old then it is okay to have 3 tests each year. If under 9 yrs old then should stay as 2 tests per year.

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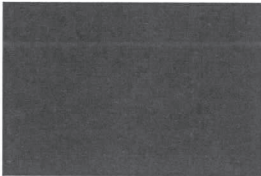
I think this should be optional and left to individual to decide.

If you have any concerns please give us a call on 01527 881395 and ask for Licensing for the Redditch area.

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REDDITCH BOROUGH COUNCIL
22 APR 2013
TOWN HALL
ROOM

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I RUN AN RECREATION PRIVATE HIRE COMPANY DEALING WITH CORPORATE CLIENTS, NOT WISHING TO BE DISCRIMINATORY HAVING WHEEL CHAIR ACCESS IN MY VEHICLES WOULD NOT ALLOW ME TO CONDUCT MY BUSINESS. IF I AM ASKED FOR WHEEL CHAIR ADAPTABILITY, I PASS THE WORK ON TO MY COLLEAGUES WHO ARE GEARED UP FOR IT.

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AS I HAVE SAID ABOVE I DO NOT CATER FOR DISABLED UNLESS THEY ARE ABLE TO GET INTO A NORMAL CAR. I POINT THIS OUT WHEN ASKED AND REFER THEM ON TO MY COLLEAGUE AT [REDACTED] WHO IS MORE THAN CAPABLE TO HANDLE THE UNDEMENTIONABLE DIFFICULTIES WITH WHEEL CHAIRS ETC. I WOULD ALSO LIKE TO POINT OUT THAT MY INSURANCE DOES NOT COVER ME FOR ANY UNFORTUNATE MISHAPS AND WILL NOT COVER ME IN ANY LITIGATION.

If you have any concerns please give us a call on 01527 881395 and ask for Licensing for the Redditch area.

3mrcwt)
IF YOU WISH US TO PARTICIPATE IN YOUR SURVEYS FEEL IT WOULD HELP IF YOU ENCLOSED A STAMPED ADDRESSED ENVELOPE TO RETURN IT AND NOT EXPECT US TO BEAR THE COST. AS PER THE ABOVE BRINGING COST, I FEEL IT UNFAIR TO PAY FOR SOMETHING I DO NOT REQUIRE. IT IS HARD ENOUGH AS IT IS WITHOUT ADDING EXTRA COSTS

AS WITH THE USE OF A FIRST AID KIT. LITIGATION IS THE MAIN PROBLEM AS IT DOES NOT ALLOW US TO DO OUR JOBS PROPERLY.



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I think this is a good idea and will help to raise the standards. However, I already have obtained the relevant qualifications for my BDC badge and I require these qualifications to be transferred across


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I would not expect to have to pay and duplicate the qualification.
I also agree with the extension of vehicle age.

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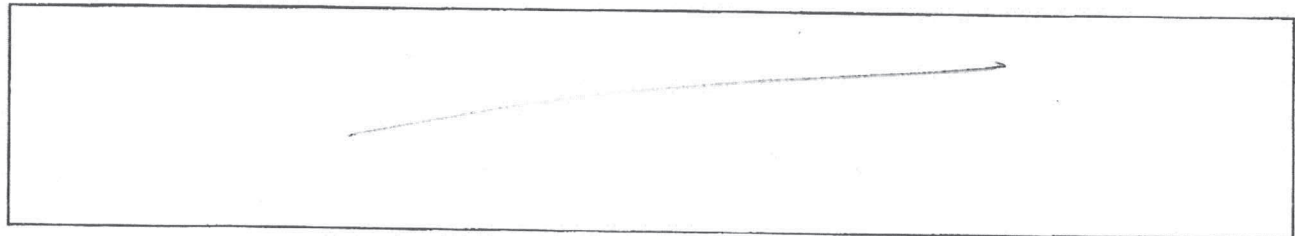
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This is a very welcome idea. Please consider expanding the licences for removal private hire and hackney taxis. If a taxi is below or 12 years old but in good condition it should be able to work!

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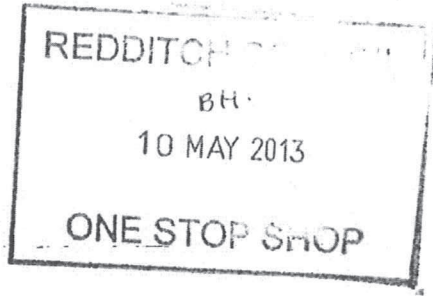
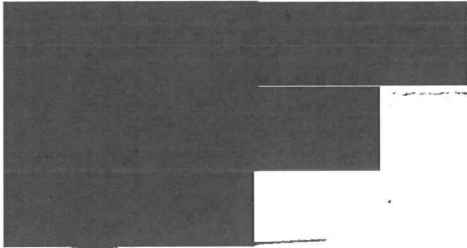


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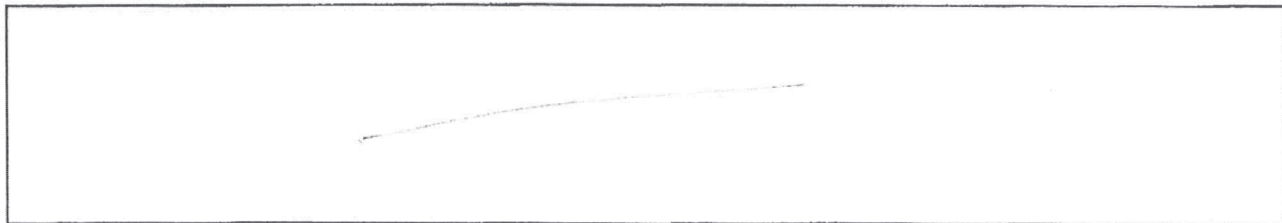
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Very good idea the same should happen with ~~private~~ normal cars.

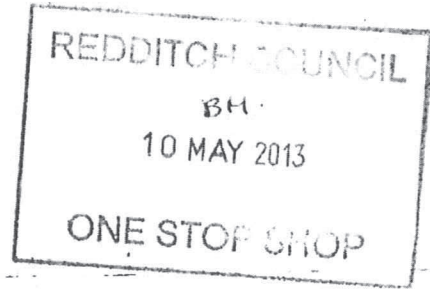
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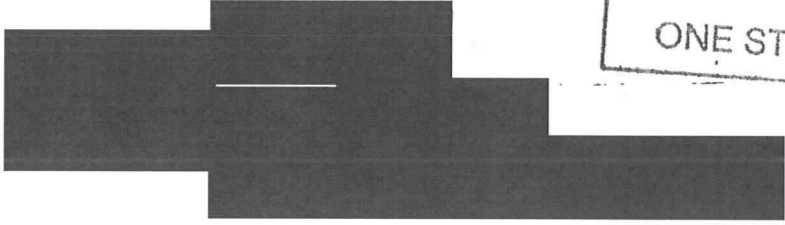
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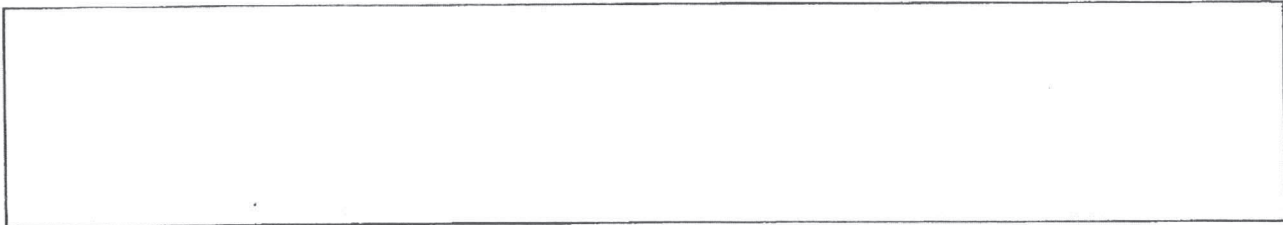
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GREAT IDEA.
SHOULD INCREASE AGE LIMIT ON USED VEHICLES
TOO AS LONG ROADWORTHY

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**LICENSING
COMMITTEE**

1st July 2013

HACKNEY CARRIAGE AND PRIVATE HIRE – DISABILITY AWARENESS TRAINING

Relevant Portfolio Holders	Councillor Phil Mould, Portfolio Holder for Corporate Management and Councillor Rebecca Blake, Portfolio Holder for Community Safety and Regulatory Services
Portfolio Holders Consulted	No
Relevant Heads of Service	Head of Regulatory Services.
Ward(s) Affected	All wards
Non-Key Decision	

1. SUMMARY OF PROPOSALS

To provide feedback to Members from the consultation carried out with the Redditch Taxi Trade on the proposal to make disability awareness training a mandatory requirement for Hackney Carriage and Private Hire vehicle drivers in the Borough.

2. RECOMMENDATIONS

The Committee is asked to **RESOLVE:**

Whether or not to proceed with the proposal to make disability awareness training a mandatory requirement for Hackney Carriage and Private Hire vehicle drivers in the Borough

3. KEY ISSUES

Financial Implications

- 3.1 It is estimated that the disability awareness training for drivers will cost £20.00 per person. Fees charged for the training will be paid directly to Driver Training at Worcestershire County Council.

Legal Implications

- 3.2 The Local Government (Misc. Provisions) Act 1976 Section 51 allows a District Council to attach to the grant of a licence any conditions as they may consider reasonably necessary or have a Policy requiring criteria to be met before granting a driver's licence.
- 3.3 Any requirement within a Policy must be lawful and reasonable otherwise the Policy could be subject to Judicial Review.

**LICENSING
COMMITTEE**1st July 2013

Service / Operational Implications

- 3.4 On the 17th December 2012 members received a detailed referral report in relation to the finding of the "Access for Disabled People Task Group". One of the recommendations of the report was that Redditch Hackney Carriage and Private Hire drivers should be offered suitable disability awareness training to assist them in carrying out their role. It was further highlighted in the report that any training offered either by or on behalf Redditch Borough Council should not be mandatory, as companies may struggle to pay for their drivers to participate in the training.
- 3.5 However, officers believe that unless disability awareness training is mandatory, it is unlikely that drivers will voluntarily undertake this training and across the county it is becoming the norm for such training to be mandatory. The cost of £20 per person is considered to be a reasonable cost and not prohibitive or likely to cause difficulty for drivers.
- 3.6 Following the meeting on the 17th December 2012 enquiries were made by licensing officers with local training providers, Redditch and Bromsgrove College and Driver Training based at Worcestershire County Council in order to identify the most appropriate and cost effective training course available.
- 3.7 From the information gathered from the training providers contacted it was established that the Driver Training based at Worcestershire County Council could undertake the disability awareness training on behalf of Redditch Borough Council in the most efficient, convenient and cost effective manner to both the drivers and the Local Authority. It is acknowledged that the College could not provide this training.
- 3.8 The training is designed to give Redditch taxi drivers the knowledge and skills needed to transport any customers who may have a disability both safely and confidently. It will further ensure compliance with the requirements of the Equality Act 2010 and Redditch Borough Councils Hackney and Private Hire conditions of licence.
- 3.9 The attendee's will receive a certificate of attendance and the training will provide an understanding of:
- Wheelchair user as a passenger
 - The use of ramps
 - How to use ramps or tail lift
 - How to handle a manual wheelchair up the ramp
 - How to handle a wheelchair on and off the kerb
 - All types of Assistance Dogs

**LICENSING
COMMITTEE**1st July 2013

- 3.10 Other Licensing Authorities across the County have a mandatory requirement of some form of disability awareness training: Driver Training at Worcester County Council currently provides this training for drivers in Worcester. Wychavon District Council has recently consulted with the trade within Wychavon about this particular training course. Bromsgrove District Council demands an NVQ in passenger transport before granting a licence. The NVQ qualification includes a module on providing a transport service for passengers who require assistance.
- 3.11 On 11th March 2013 the Licensing Committee considered a report on this topic and resolved that officers undertaken a 12 week consultation with the Redditch taxi trade on the proposal to make disability awareness training a mandatory requirement for Hackney Carriage and Private Hire vehicle drivers in the Borough.
- 3.12 The consultation exercise began on 1st April 2013 and was conducted alongside another consultation with the taxi trade on a proposal to amend the Council's private hire vehicle licence policy. 15 of the responses received during the consultation exercise made comment on the proposal to make disability awareness training a mandatory requirement. These can be seen at appendix 1.

Generally the respondents are supportive of the introduction of disability awareness training. However the following opinions have been expressed:

- Some drivers have already undertaken equivalent training as part of the process of obtaining a Level 2 NVQ in Road Passenger Vehicle Driving.
 - The training will impose an additional cost on the trade.
 - Not all drivers transport passengers with disabilities, particularly those in wheelchairs.
 - Training would not change the behaviour of individual drivers who are not caring, helpful, compassionate or understanding.
 - The training should be an optional for drivers rather than mandatory.
- 3.13 Members may wish to consider whether drivers who have undertaken equivalent training, for example as part of the process of obtaining a Level 2 NVQ in Road Passenger Vehicle Driving, could be exempted from any requirement imposed to undertake the disability awareness training.
- 3.14 If undertaking disability awareness training is to become a mandatory requirement for all existing drivers, Members will want to consider how long drivers will be given to undertake the training.

**LICENSING
COMMITTEE**1st July 2013

Customer / Equalities and Diversity Implications

- 3.15 The Equality Act 2010 focused on the needs of people with protected characteristics, which includes disabilities. Public bodies, including local authorities, have a lawful duty of regard to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity between people who share a protected characteristic and those who do not; and foster good relations between people who share a protected characteristic and those who do not. The findings and actions detailed in the Access for Disabled People Task Group report should enable Redditch Borough Council to pay due regard to the needs of people with disabilities living in the Borough in line with these legislative requirements.

4. RISK MANAGEMENT

- 4.1 Redditch Borough Council has a duty to consider all responses received from the Taxi Trade or other interested parties during the 12 week consultation period.

5. APPENDICES

- 5.1 Appendix 1 - Consultation responses received.

6. BACKGROUND PAPERS

Licensing Committee report - 17th December 2012 - Access for Disabled People Task Group – Referral Report.

AUTHOR OF REPORT

Name: Sue Garratt – Licensing and Acting Support Services Manager.
Worcestershire Regulatory Services

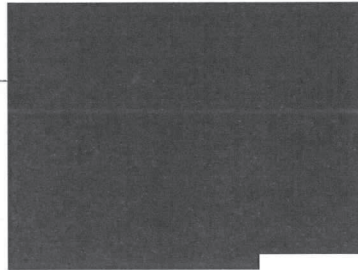
E Mail: sue.garratt@worcestershire.gov.uk

Tel: (01527) 534196

CONSULTATION RESPONSE FORM

Thank you in advance for completing this response form

Name & Address



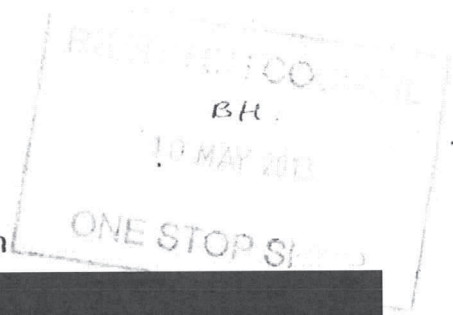
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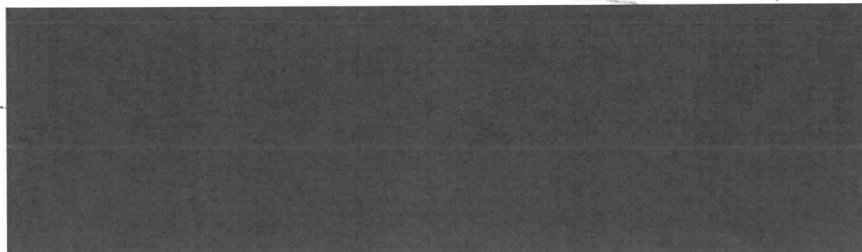
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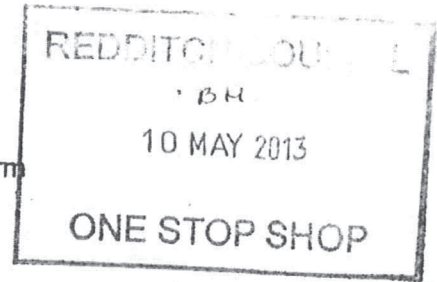
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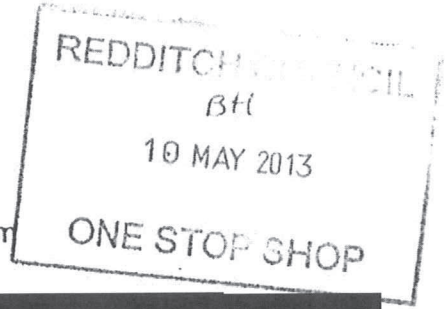
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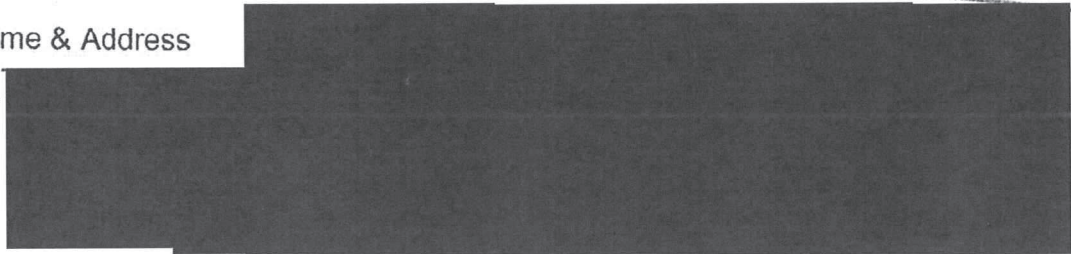
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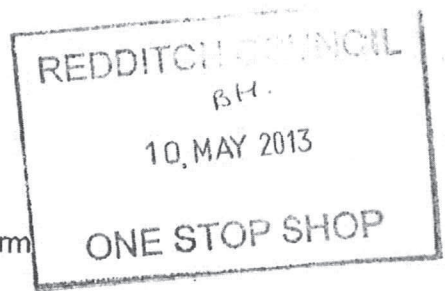
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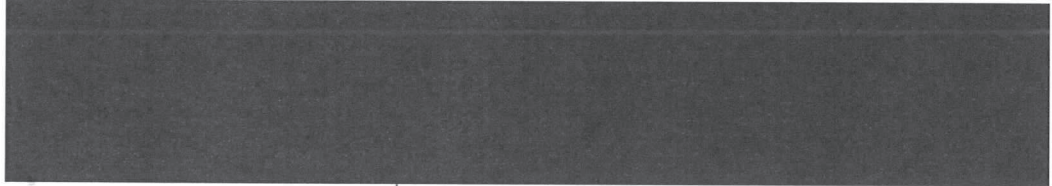
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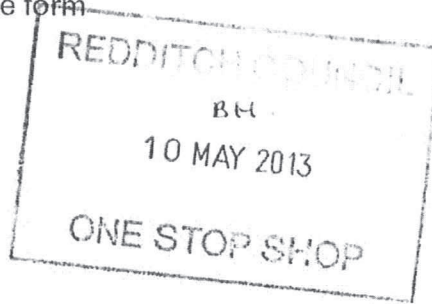
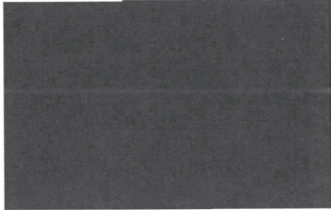
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its good thing so Disabled people have more vehicle to travel.

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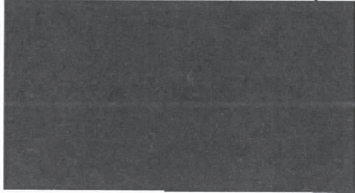
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it is good but if the vehicle is in good condition it should allowed for longer age. is well

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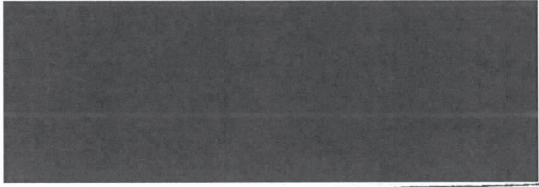
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Yes its good

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I think it is better

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I think this is a good idea and will help to raise the standards. However, I already have obtained the relevant qualifications for my BDC badge and I require these qualifications to be transferred across

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I would not expect to have to pay and duplicate the qualification.

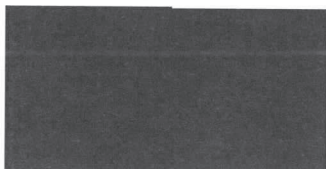
I also agree with the extension of vehicle age.

If you have any concerns please give us a call on 01527 881395 and ask for Licensing for the Redditch area.

CONSULTATION RESPONSE FORM

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Name & Address



22 APR 2013

TOWN HALL
BOUY

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I RUN AN EXECUTIVE PRIVATE HIRE COMPANY DEALING WITH CORPORATE CLIENTS, NOT WISHING TO BE DISCRIMINATORY HAVING WHEEL CHAIR ACCESS IN MY VEHICLES WOULD NOT ALLOW ME TO CONDUCT MY BUSINESS. IF I AM ASKED FOR WHEEL CHAIR ADAPTABILITY I PASS THE WORK ON TO MY COLLEAGUES WHO ARE GEARED UP FOR IT.

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AS I HAVE SAID ABOVE I DO NOT CATER FOR DISABLED UNLESS THEY ARE ABLE TO GET INTO A NORMAL CAR. I POINT THIS OUT WHEN ASKED AND REFER THEM ON TO MY COLLEAGUE AT [REDACTED] WHO IS MORE THAN CAPABLE TO HANDLE THE UNDESCRIBABLE DIFFICULTIES WITH WHEEL CHAIRS ETC. I WOULD ALSO LIKE TO POINT OUT THAT MY INSURANCE DOES NOT COVER ME FOR ANY UNFORTUNATE MISHAPS AND WILL NOT COVER ME IN ANY LITIGATION.

If you have any concerns please give us a call on 01527 881395 and ask for Licensing for the Redditch area.

(Comment)

IF YOU WISH US TO PARTICIPATE IN YOUR SURVEYS I FEEL IT WOULD HELP IF YOU ENCLOSED A STAMPED ADDRESSED ENVELOPE TO RETURN IT, AND NOT EXPECT US TO BEAR THE COST. AS PER THE 2000 TRAINING COST, I FEEL IT UNFAIR TO PAY FOR SOMETHING I DO NOT REQUIRE IT IS HARD ENOUGH AS IT IS WITHOUT

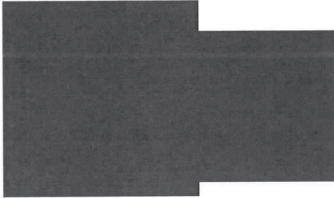
AS WITH THE USE OF A FIRST AID KIT. LITIGATION IS THE MAIN PROBLEM AS IT DOES NOT ALLOW US TO DO OUR JOBS PROPERLY.



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If the car is more than 9 yrs old then it is okay to have 3 tests each year. If under 9 yrs old then should stay as 2 tests per year.

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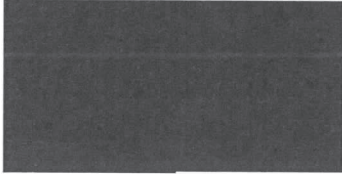
I think bus should be optional and left to individual to decide.

If you have any concerns please give us a call on 01527 881395 and ask for Licensing for the Redditch area.

CONSULTATION RESPONSE FORM

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Name & Address



28 MAY 2013
TOWN HALL
ROOM

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I AM HAPPY TO HAVE THE 3 TESTS, BUT COULD THE THIRD TEST BE SUPPLEMENTED SOMEHOW AS FARES HAVE NOT BEEN INCREASED FOR SOME YEARS?

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I AM AGREEABLE TO THE TRAINING BUT AGAIN THIS IS AN EXTRA COST AND I HAVE BEEN CARRYING DISABLED PASSENGERS FOR NEARLY 9 YEARS, WHAT EXTRA TRAINING WILL I NEED THAT I DO NOT DO NOW?

If you have any concerns please give us a call on 01527 881395 and ask for Licensing for the Redditch area.

Dear Sayful

In response to your letter regarding disability awareness

We would never be interested in driving vehicles over nine years old

We believe it would be false economy preferring to use our capital to buy newer taxis rather than repairing ageing vehicles

With green issues in mind we can not understand why you would promote old technology.

On the subject of your training proposals

We feel it is all about the individual taxi driver,

If you are not caring, helpful, compassionate , understanding a £20 training session will do nothing

I have just had my recent mot at crossgate and noticed a sign to taxi drivers saying no spitting just how are you going to train these sort of people

We deal with the disabled every day and each person requires a different level of care.

If people have to be trained to help this group of people maybe they should not have been issued a licence, consequently if you hear bad reports remove their badge.

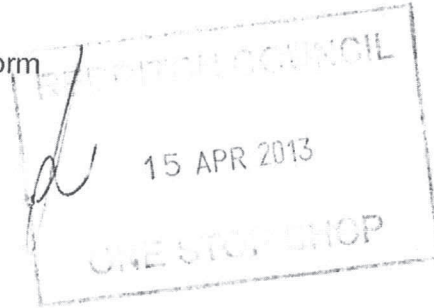
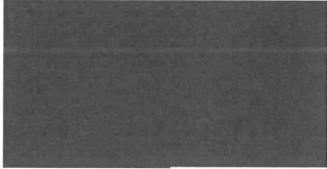
On another note how do you differentiate from the disabled and the elderly.



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I have already done level 2 NVQ Road Passenger vehicle driving course which was for 12 weeks
I have done 9 units, I have enclosed a copy.

If you have any concerns please give us a call on 01527 881395 and ask for Licensing for the Redditch area.

**LICENSING
COMMITTEE**

1st July 2013

LICENSING COMMITTEE WORK PROGRAMME 2013/14

1st July 2013

- Licensing Committee Work Programme 2013/2014
- Licensing Act Annual Report
- Private Hire Vehicle Policy – Multi Seated Wheelchair Accessible Vehicles, feedback on the 6 week consultation undertaken with the taxi trade and other agencies on the draft Private Hire Vehicle Policy
- Hackney Carriage & Private Hire – Disability Awareness Training, feedback on the 12 week consultation with the Redditch taxi trade on the proposal to make disability training awareness a mandatory requirement for Hackney Carriage & Private Hire vehicle drivers in the Borough.

11th November 2013

7th April 2014

To Be Allocated To Suitable Available Dates

Scrap Metal Dealers Act 2013

