

**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.

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

- 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.

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

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