

**LICENSING  
COMMITTEE**

5<sup>th</sup> November 2018

**FURTHER CONSIDERATION OF AMENDMENTS MADE TO HACKNEY  
CARRIAGE AND PRIVATE HIRE DRIVER LICENSING POLICY**

Relevant Portfolio Holder	Councillor G Prosser
Portfolio Holder Consulted	Yes
Relevant Head of Service	Simon Wilkes – Head of Worcestershire Regulatory Services
Wards Affected	All Wards
Ward Councillor Consulted	N/A
Non-Key Decision	

**1. SUMMARY OF PROPOSALS**

On 5<sup>th</sup> March 2018 the Licensing Committee gave further consideration to the additional requirements introduced in the Council's Hackney Carriage and Private Hire Driver Licensing Policy in November 2017. Following this consideration Members agreed that further information was needed to enable them to discuss alternative options at a future meeting.

Officers were therefore tasked to investigate alternative ways of funding the disability awareness training and driving assessments (as opposed to drivers having to pay the fees) and all options for targeting of disability awareness training / driver assessments

The outcomes of these investigations are now being reported back to the Licensing Committee.

**2. RECOMMENDATIONS**

- 1. That Members note outcome of the officer investigations set out in the report;**
- 2. That Members note the requirements introduced in the Council's Hackney Carriage and Private Hire Driver Licensing Policy in November 2017;**
- 3. That Members determine whether or not they wish to make any further amendments to this Policy.**

**3. KEY ISSUES**

**Financial Implications**

- 3.1 Any costs incurred in making further amendments to the Policy would need to be met from existing budgets held by Worcestershire Regulatory Services.

**Legal Implications**

- 3.2 The Council has an adopted Hackney Carriage and Private Hire Driver Licensing Policy that can be amended following consultation and proper consideration. The Policy has been amended to reflect the new requirements for driver testing and training. Any further amendment will require a period of consultation and consideration prior to the amendment being implemented.
- 3.3 Members are reminded that the primary consideration in Licensing Hackney Carriage and Private Hire drivers is the safety of the travelling public and that the Policy that governs this should reflect that. However, the Policy should have regard to those who are to be licensed and be implemented in a fair and reasonable way.

**Service / Operational Implications**

- 3.4 On the 6<sup>th</sup> November 2017, the Licensing Committee resolved to approve a revised policy for the licensing of Hackney Carriage and Private Hire drivers with effect on 1<sup>st</sup> December 2017. This revised Policy can be seen at **Appendix 1**.
- 3.5 The revised Policy introduced a new requirement that licensed drivers undertake disability awareness training and driving standards assessments every three years. Prior to the revised Policy taking effect, drivers only needed to undertake such training on one occasion – when they first became licensed.
- 3.6 These new requirements were originally recommended to be introduced into Policy by the Overview and Scrutiny Board, Improving Disabled People's Access to Redditch Taxi Fleet Task Group.
- 3.7 This Task Group prepared a report that was presented to the Licensing Committee in July 2016 and contained a number of recommendations aimed at improving access for disabled people in Redditch to licensed Hackney Carriage and Private Hire vehicles.

**LICENSING  
COMMITTEE**

**5<sup>th</sup> November 2018**

- 3.8 The Licensing Committee resolved to approve the recommendations of the Task Group, subject to the carrying out of suitable consultation on those recommendations that required the Council to amend its Hackney Carriage and Private Hire licensing policies in order to implement.
- 3.9 Consultation on those recommendations, including the recommendation to require licensed drivers to undertake refresher training in disability awareness and driving standards every three years, took place between early October 2016 and the end of December 2016.
- 3.10 During the consultation exercise, twenty two consultation surveys were returned and a submission was also received from the Redditch Taxi Association (RTA). A table setting out a summary of the survey responses received during the consultation exercise is attached at **Appendix 2**. The submission received from the RTA can be seen at **Appendix 3**. The response was prepared by RTA and signed by 130 members of the association.
- 3.11 The Licensing Committee gave consideration to all of the consultation responses received in March 2017 and again in July 2017 before finally resolving to approve a revised policy on 6<sup>th</sup> November 2017.
- 3.12 Since the decision taken on 6<sup>th</sup> November 2017, some Members have been contacted by licensed drivers concerned by the new requirements in relation to driver training. Furthermore, at a Taxi and Private Hire Liaison Forum held on 31<sup>st</sup> January 2018, over 100 licensed drivers attended and strongly expressed similar concerns.
- 3.13 The concerns that continue to be raised are that the new requirements introduce a disproportionate and unjustified burden on licensed drivers. The licensed drivers appeared to express the view that additional training and tests should only be required of drivers that have been the subject of a relevant complaint against them that has been upheld.
- 3.14 Representatives of the Redditch Taxi Association (RTA) expressed the view that they felt insufficient regard had been had to the response that they submitted to the consultation on behalf of their membership (**Appendix 3**).
- 3.15 In light of the strength of feeling that was clear to those elected Members present at the Taxi and Private Hire Liaison Forum, the Chairman of the Licensing Committee agreed that Members would give the matter further consideration at the next Licensing Committee.

**LICENSING  
COMMITTEE**

**5<sup>th</sup> November 2018**

- 3.16 Therefore on the 5<sup>th</sup> March 2018, the Licensing Committee gave further consideration to the matter and following a lengthy discussion, Members agreed that further information was needed to enable them to discuss alternative options at a future meeting.
- 3.17 Officers were therefore tasked to investigate alternative ways of funding the disability awareness training and driving assessments (as opposed to drivers having to pay the fees) and all options for targeting of disability awareness training / driver assessments.
- 3.18 Officers have not been able to find any alternative source of funding for the disability awareness training or driving assessments. The cost to Redditch Borough Council of providing the funding to pay for the current number of licensed drivers (approximately 555) to undertake disability awareness training and driving assessments would be in the region of £30,500 every three years.
- 3.19 The disability awareness training and driving assessments undertaken by drivers licensed by Redditch Borough Council are both currently delivered externally by the Driver Training Team at Worcestershire County Council and fees are charged by the County Council to recover the costs involved in providing these services. These fees are paid directly to the County Council by the driver undertaking the relevant training or assessment.
- 3.20 The County Council currently charges £15 for a place on a disability awareness training session. These training sessions are currently only provided at a location in Worcester. There is therefore an additional cost to the driver in terms of potential earnings lost attending and travelling to and from the training.
- 3.21 The County Council charges drivers £40 to undertake a driving assessment. Driving assessments start in Redditch and are undertaken in a vehicle provided by the applicant / licence holder.
- 3.22 Officers have investigated the costs of having equivalent training and assessments carried out by other providers and believe that the County Council Driver Training Team offers the lowest prices available in the market.

**LICENSING  
COMMITTEE**

**5<sup>th</sup> November 2018**

- 3.23 In terms of options for targeting the additional training and assessments, officers believe that if serious or repeated complaints were received regarding a licence holders treatment of disabled persons or the standard of their driving, and a Licensing Sub-Committee is satisfied that it is appropriate, they could decide to suspend the driver's licence until they have undertaken further training on disability awareness or until they have successfully completed a driving assessment.
- 3.24 This approach would mean that additional training and assessments are directed towards those that require them rather than requiring every driver to undertake training every three years.
- 3.25 In light of the information provided above, Members are asked to consider whether or not to make they wish to make any further amendments to the Council's Hackney Carriage and Private Hire Driver Licensing Policy shown at **Appendix 1**.

**4. RISK MANAGEMENT**

- 4.1 None

**5. APPENDICES**

- Appendix 1 – Hackney Carriage and Private Hire Driver Licensing Policy
- Appendix 2 – Summary of Consultation Responses
- Appendix 3 – Redditch Taxi Association Response to the Consultation

**AUTHOR OF REPORT**

Name: Dave Etheridge – Senior Practitioner (Licensing)  
Worcestershire Regulatory Services

E Mail: [dave.etheridge@wocsregservices.gov.uk](mailto:dave.etheridge@wocsregservices.gov.uk)

Tel: (01905) 822799