

LICENSING COMMITTEE

4th March 2019

CONSIDERATION OF RESPONSES TO THE CONSULTATION ON AMENDING THE COUNCIL'S HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER LICENSING POLICY – TRAINING REQUIREMENTS

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 5th November 2018, the Licensing Committee considered a report in relation to additional training and assessment requirements introduced into the Council's Hackney Carriage and Private Hire Driver Licensing Policy in November 2017.

Following consideration of the report, Members resolved to task officers to carry out a consultation exercise in relation to amending the Hackney Carriage and Private Hire Driver Licensing Policy to remove the requirement that drivers undertake disability awareness training and driving assessments every three years.

That consultation exercise has now taken place and Members are asked to consider the responses received and determine what changes (if any) they wish to make to the Council's policies as a result.

2. RECOMMENDATIONS

That Members consider the responses received during the consultation exercise and RESOLVE what amendments (if any) they wish to make to the Council's Hackney Carriage and Private Hire Driver Licensing Policy shown at Appendix 1.

3. KEY ISSUES

Financial Implications

- 3.1 The costs of the consultation were 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.
- 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 6th November 2017, the Licensing Committee resolved to approve a revised policy for the licensing of Hackney Carriage and Private Hire drivers with effect on 1st December 2017.
- 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 and assessments 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 and were implemented with effect from 1st December 2017 following careful consideration of the results of a consultation exercise that took place towards the end of 2016.
- 3.7 A copy of the current Hackney Carriage and Private Hire Driver Licensing Policy can be seen at **Appendix 1**.
- 3.8 Since the decision to introduce these new requirements some Members have been contacted by licensed drivers concerned by them.
- 3.9 Furthermore, at a Taxi and Private Hire Liaison Forum held on 31st January 2018, over 100 licensed drivers attended and strongly expressed similar concerns.
- 3.10 The concerns that continue to be raised are that the new requirements introduced 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

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have been the subject of a relevant complaint against them that has been upheld.

- 3.11 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.
- 3.12 Therefore on the 5th 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.
- 3.13 Further information was then considered by the Licensing Committee on the 5th November 2018 before Members resolved to task officers to carry out a consultation exercise in relation to amending the Hackney Carriage and Private Hire Driver Licensing Policy to remove the requirement that drivers undertake disability awareness training and driving assessments every three years.
- 3.14 The consultation was undertaken in conjunction with a further consultation relating to taxi and private hire licensing, which was also approved by Members of the Licensing Committee at their meeting on 5th November 2018.
- 3.15 The consultation exercise was commenced on 3rd December 2018 and was open for responses until 31st January 2019. A survey was created to facilitate the consultation. A copy of the survey can be seen at **Appendix 2**.
- 3.16 A copy of this was sent to all licensed drivers and also to the following organisations or people:
- Redditch Borough Councillors
 - Redditch Community Panel
 - West Mercia Safer Roads Partnership
 - West Mercia Police (North Worcestershire Licensing)
 - Worcestershire County Council (Driver Training)
 - Worcestershire County Council (Corporate Equality and Diversity Manager)
 - Feckenham Parish Council
 - National Taxi Association
 - National Private Hire Association
 - Guide Dogs
 - Managers Responsible for Crossgates Depot

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- 3.17 An electronic version of the consultation survey was also hosted on the Council's website and attempts were made to publicise the consultation via the press and social media.
- 3.18 In total 186 responses were received during the consultation. All of these respondents answered the question relating to the removal of the the requirement that drivers undertake disability awareness training and driving assessments every three years.
- 3.19 Of these 186 respondents, 123 came from licence holders in the hackney carriage or private hire trade. The remaining 63 respondents were a mixture of members of the public (54), elected Members (1), charities representing disabled groups (1) or individuals who did not indicate what capacity they were responding in (7).
- 3.20 138 of the 186 respondents (74.2%) agreed with the proposal to remove the requirement to undertake disability awareness training and driving assessments every three years. 48 respondents (25.8%) did not agree with the proposal.
- 3.21 Perhaps unsurprisingly the vast majority of those in favour of removing the requirements were licence holders in the hackney carriage and private hire trades. The majority of the other respondents to the consultation were not in favour of removing the requirements.
- 3.22 The comments received from respondents in addition to their "yes" or "no" response, can be seen at **Appendix 3**.
- 3.23 Members are asked to consider the responses received during the consultation exercise and resolve what amendments (if any) they wish to make 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 – Consultation survey
- Appendix 3 – Comments received during consultation

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AUTHOR OF REPORT

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

E Mail: dave.etheridge@worcsregservices.gov.uk

Tel: (01905) 822799