WARDS AFFECTED
Castle

Leicester City Council

FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:
Licensing and Public Safety Committee   **25 October 2016**

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Update on licensing process for hackney carriage and private hire vehicle driver licensing

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Report of the Director of Neighbourhood and Environmental Services

1.   Purpose of Report

1.1.   To inform the Licensing and Public Safety Committee of several changes in the process for licensing hackney carriage and private hire vehicle driver licences.

2.   Recommendations

2.1.   Members are asked to note the report.

3.   Background

3.1   As a licensing authority, the council must be satisfied that every licensed taxi driver is a "fit and proper" person at the point of licensing. The legislation does not define "fit and proper" and so it is for each licensing authority to formulate it's own policy.

3.2   Leicester City Council's pre-licensing requirements are as follows:
- Medical
- Criminal record check (DBS)
- Practical driving test
- Local 'knowledge' test
- English speaking and listening
- Driving licence check
- Right to work in the UK

3.3   There are imminent developments in several of these areas, which members should be aware of.

4   Practical driving test

4.1   The Department of Transport issues best practice guidance to licensing authorities, in which it says that taxi applicants should be required to pass a practical driving assessment with the Driving Standards and Vehicle Agency (DVSA). On 31 August 2016 the DVSA wrote to all licensing authorities to say that they would be withdrawing this assessment from 31 December 2016. Unfortunately due to the booking process and waiting time this means that applicants are already unable to book an assessment.

4.2   Officers are in the process of procuring a replacement provider that is accredited to the same standard. It is hoped that this can be completed by December but in the meantime taxi driver applicants will be unable to take a practical driving assessment. This is regrettable but unfortunately the announcement from the DVSA was completely unexpected. Most other licensing authorities are in the same situation.

5   Local 'knowledge' test

5.1   The 'knowledge' test has been in use for many years. It is a paper based test designed to establish that applicants have a reasonable knowledge of the streets and places of Leicester city. There is a long waiting list to take this test and in spite of various attempts to reduce the waiting time any reductions are short-lived. In addition, there have been a number of complaints about taxi drivers not knowing the city well enough to provide a reasonable service to the travelling public.

5.2   A computer based solution is being developed in conjunction with the council's own IT department. The software will generate a set number of multiple choice questions from different categories, such as the city centre, greater Leicester, customer service and the law. The test will be timed and marked automatically and candidates will be given the results straight away. It will also upload to the licensing section so that officers can take appropriate action according to whether the test was passed or failed.

5.3   Significant benefits of the new system will be that:
   • every test will be different,
   • we will be able to test more candidates at a time and therefore reduce waiting times.

5.4   The software has been developed and is currently undergoing testing, as well as being populated with suitable questions.

6   Online application for new drivers

6.1   The traditional method of applying for a licence is to submit a paper application. However, it is preferable to move to online applications where possible for several reasons, including:

- convenience – the applicant does not have to print a form and physically submit it
- accuracy – an online form will prompt the applicant for any missing information
- payment – payment is made as part of the overall process
- speed – an application is submitted, paid for and acknowledged in one transaction, and quickly leads on to the next stage
- channel shift – a reduction in face to face enquiries saves staff time in the Customer Service Centre, and reduces the volume of people in the centre.

6.2 The council's IT team have developed an online application process for new taxi drivers. The process will replace the existing application process, and will allow applications to be submitted at the customer's convenience. The online form will collect all of the details on the current form and take the appropriate payment. It will send automated responses confirming receipt of the application and payment as well as giving details of the next steps. In addition it will send a unique message to each applicant giving them a link to the online DBS application process. This will allow them two weeks to submit an online DBS application, after which they will have to attend the Customer Service Centre to bring proof of their identity. This visit will be shorter than the current visit to submit a full application, and will be an opportunity to bring other documents required for the application as well as to book an appointment for the 'knowledge' test.

7   CSE awareness course

7.1 The council introduced a requirement for licensed taxi drivers to attend child sexual exploitation training within three months of being first licensed or re-licensed. This was introduced from November 2015 and is currently something that only needs to be done once by each driver.

7.2 1,164 drivers have completed the awareness training since November 2015, and some had completed it previously through their work as drivers for school contracts. There are approximately 800 licensed drivers still to attend. The training has received a positive response from drivers, and feedback has been good. Once all of the existing drivers have been trained the number of session required will reduce, because it will only be new drivers who need to attend.

7.3 The awareness training was delivered by the provider who had been contracted to provide training to council staff. That contract expires in October 2016 and therefore a procurement exercise has been undertaken for a new contract. The same contractor was successful and the new contract commences in November 2016.

8   Financial, Legal and Other Implications

Financial Implications

8.1   There are no significant financial implications arising directly from this report, although the moves on-line should lead to efficiency gains.

Colin Sharpe, Head of Finance, ext. 37 4081

Legal Implications

8.2   The overriding consideration of the Council is to protect the safety of the public. The Council must be satisfied that the drivers are 'fit and proper persons'. It must also be satisfied that licence holders are suitable, safe drivers with good driving records and adequate experience. Drivers should also be courteous, honest, and both mentally and physically fit.

8.3   Section 51 of the Local Government (Miscellaneous Provisions) Act 1976 states that the Council shall on receipt of an application from any person to drive private hire vehicles, grant to that person a driver's licence unless they are satisfied that the applicant is not a fit and proper person to hold a driver's licence.

8.4   Section 59 of the Local Government (Miscellaneous Provisions) Act 1976 states that the Council shall not grant a licence to drive a Hackney Carriage unless they are satisfied that the applicant is a fit and proper person to hold a driver's licence.

Katherine Jamieson, Solicitor - Legal Services

9   Other Implications

OTHER IMPLICATIONS	YES/ NO	Paragraph/References Within the Report
Equal Opportunities	No	
Policy	Yes	The decisions at the hearing and at the appeal are partly based on the council's licensing policy.
Sustainable and Environmental	No	
Crime and Disorder	No	
Human Rights Act	No	
Elderly/People on Low Income	No	
Corporate Parenting	No	
Health Inequalities Impact	No	

10   Background Papers – Local Government Act 1972
None

11   Consultations
None

12   Report Author
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