

Cabinet



Forest Heath
District Council

Title of Report:	Recommendations of the Licensing and Regulatory Committee 11 October 2016: Training for Hackney Carriage and Private Hire Vehicle Drivers	
Report No:	CAB/FH/16/058	
Report to and date:	Cabinet	13 December 2016
	Council	21 December 2016
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Lead Officer:	Peter Gudde Service Manager Environmental Health Tel: 01284 757042 Email: peter.gudde@westsuffolk.gov.uk	
Purpose of report:	<p>On 10 October 2016 the Licensing and Regulatory Committee considered the following substantive items of business:</p> <ol style="list-style-type: none">(1) Forest Heath Local Air Quality Strategy: Progress Report 201-2016; and(2) Training for Hackney Carriage and Private Hire Vehicle Drivers. <p>Recommendations emanated from consideration of Item (2) above (Report No: LIC/FH/16/006 refers). This report presented the results of public consultation on whether a requirement for Hackney Carriage/Private Hire Vehicle Drivers to obtain a Business and Technology Education Council (BTEC)</p>	

	<p>Level 2 Qualification should be implemented. As the proposal would be a change of policy final approval of it would be by full Council on the recommendations of Cabinet.</p>
<p>Recommendations:</p>	<p>It is RECOMMENDED that, subject to the approval of Council, the results of the recent consultation with Hackney Carriage/Private Hire Vehicle Drivers and taxi customers on the proposal to adopt a BTEC Level 2 Certificate 'Introduction to the role of Professional Taxi and Private Hire Driver', as detailed in Report No: LIC/FH/16/006, be noted and;</p> <p>(1) The change in requirements for all new drivers to complete the BTEC Level 2 Certificate be approved;</p> <p>(2) The change in the requirements for all current drivers to complete the BTEC Level 2 Certificate within two years be approved;</p> <p>Officers further RECOMMEND that, subject to the approval of Council:</p> <p>(3) (a) Instead of the above-mentioned requirements for achieving the BTEC 2 Certificate, existing drivers be required to attend half-day training covering specific issues of concern including safeguarding vulnerable people, assisting customers with disabilities and customer care provided at no cost to attendees; and</p> <p>(b) the Disciplinary Code for Hackney Carriage/Private Hire Vehicles be amended to reflect that should existing drivers fail to comply with (4)(a) above, this would constitute a contravention of this Code, and as a consequence, he/she will be required to obtain the full BTEC Level 2 Certificate referred to in (2) above.</p>
<p>Key Decision:</p>	<p><i>Is this a Key Decision and, if so, under which definition?</i></p> <p>Yes, it is a Key Decision - <input type="checkbox"/></p> <p>No, it is not a Key Decision - <input checked="" type="checkbox"/></p>

Consultation:	<ul style="list-style-type: none"> • See Report No: LIC/FH/16/006 		
Alternative option(s):	<ul style="list-style-type: none"> • See paragraph 1.2.2 below 		
Implications:			
Are there any financial implications? <i>If yes, please give details</i>		<ul style="list-style-type: none"> • See Report No: LIC/FH/16/006 	
Are there any staffing implications? <i>If yes, please give details</i>		<ul style="list-style-type: none"> • See Report No: LIC/FH/16/006 	
Are there any ICT implications? <i>If yes, please give details</i>		<ul style="list-style-type: none"> • See Report No: LIC/FH/16/006 	
Are there any legal and/or policy implications? <i>If yes, please give details</i>		<ul style="list-style-type: none"> • See Report No: LIC/FH/16/006 	
Are there any equality implications? <i>If yes, please give details</i>		<ul style="list-style-type: none"> • See Report No: LIC/FH/16/006 	
Risk/opportunity assessment:		<i>(potential hazards or opportunities affecting corporate, service or project objectives)</i>	
Risk area	Inherent level of risk (before controls)	Controls	Residual risk (after controls)
See Report No: LIC/FH/16/006			
Wards affected:		All Wards	
Background papers:		Report No: LIC/FH/16/006 ; Appendix 1 ; Appendix 2 ; Appendix 3 ; Appendix 4	
Documents attached:		None	

1. Key issues and reasons for recommendations

1.1 Key Issues

- 1.1.1 The Local Government (Miscellaneous Provisions) Act 1976 places a duty upon the Council as the Licensing Authority to ensure that an applicant for a driver's licence was a 'fit and proper person' to hold such a licence and that existing drivers acted in a way as to satisfy the Council that they continued to be 'fit and proper' to hold a licence. Listed in Paragraph 1.4 of Report No: LIC/FH/16/006 were the existing requirements of the Council's 'fit and proper' test. Whilst there were many extremely competent and professional drivers in West Suffolk there was statistical and anecdotal evidence to support the need for improved standards and knowledge. The Department of Transport in a publication '*Taxi and Private Hire Vehicle Licensing: Best Practice Guidance*' March 2010 had endorsed the introduction of qualifications in licensing authority regimes. Appendix 1 of the report listed other local authorities nationally that had introduced a requirement for formally recognised qualifications or in house tests as a prerequisite to the grant of a licence. When considering this matter at its meeting on 23 May 2016 the Committee had accepted that the appropriate form for the qualification would be based on BTEC Level 2. The proposed syllabus for this qualification was contained as Appendix 2.
- 1.1.2 External consultation with the taxi trade and the general public, as users, had been carried out on the proposal over July and August 2016. 26 out of a potential 600 registered drivers across West Suffolk and 78 members of the public completed respective surveys. A summary of the responses was included as Appendix 3.
- 1.1.3 The same report was considered by St Edmundsbury Borough Council's Licensing and Regulatory Committee at their meeting on 11 October 2016.

1.2 Consideration of the proposal

- 1.2.1 The Committee was advised that the fee for the course, which would be provided by the West Suffolk College, was £250 after discount and payable to the college. The time involved in attending the course would be 18 hours and this could be tailored so as to be at different times and locations to accommodate the needs of attendees. An alternative condensed training package could be offered over a half day at a discounted price of £35. This would deal with the salient points of each of the modules and those attending who met the required standard of knowledge would receive a certificate. To offset the situation that the Driver/Vehicle Standards Agency had decided to withdraw its practical driving test, an alternative had been negotiated with the West Suffolk College whereby a driving test would be available alongside the BTEC course at a separate fee of £40. This compared to around £90 charged by other commercial providers.
- 1.2.2 In discussing the proposal Members supported the proposal for both new applicants and existing drivers to obtain the qualification.

- 1.2.3 However, following the conclusion of both Authorities' meetings, and taking into account some of the views that were expressed by Members in relation to the requirement for existing drivers to undertake the qualification, Officers conducted further research and are proposing further recommendations provided in (3)(a) and (b) on page 2 of this report for additional consideration to those proposed by the Committee.
- 1.2.4 Officers have confirmed that the half day course referred to in the additional Officer recommendation would cover safeguarding of vulnerable people, customer care and assisting customers with disabilities. Given the specific responses that your Officers have received from local safeguarding bodies, such training is becoming essential to meet their needs. This course could be offered at no cost to participants thus addressing the principal concern of existing taxis drivers of cost.