

## PUBLIC PROTECTION COMMITTEE

Thursday 5th September 2013

### PRIVATE HIRE & HACKNEY CARRIAGE DRIVER TRAINING

Submitted by: Head of Business Improvement and Partnerships

#### Purpose

To inform the Committee of the need to consider whether applicants for Hackney Carriage and Private Hire drivers licences should hold a relevant qualification, and whether or not applications for renewals be required to hold the same qualification.

#### Recommendation

**That the Committee consider the report.**

#### Reasons

To improve the level of knowledge and standard of service provided by Licence Holders.

#### 1. Background

1.1

1.3 In recent years there has been an increase in the number of Licensing Authorities, requiring applicants of Private Hire and Hackney Carriage drivers licences to hold various qualifications relating to the transportation of fare paying passengers, information provided by Private Hire monthly indicates that approximately one third of local authorities now require applicants to have some form of training or hold a relevant qualification prior to the grant of a licence, these include the Driving Standard Agency taxi tests, BTech awards and NVQ qualifications.

1.4 Members may recall the findings of a Taxi Survey undertaken by TPi in June 2005. The survey recommended that the Council should be:-

(17.4) 'Introducing a programme of specialist driver training in and an understanding of disability awareness'.

A similar survey undertaken by Mouchel in 2009 found that Hackney Carriage drivers with wheelchair accessible vehicles appeared to need training.

This was proven by test purchasing undertaken by a mystery shopper in a wheel chair. The findings of this are at page 38 of the Mouchel report.

1.5 The Institute of Licensing have recently provided Local Authorities with a recommendation of Best Practice for Private Hire and Hackney Carriage drivers. This recommendation highlights the need for drivers training.

- 1.6 In February 2010 the Department for Transport published its Best Practice and Guidance for Taxi and Private Hire Vehicle licenses and in the guidance, section 72 encourages Local Authorities to consider driver training and highlights in which areas training may be beneficial

The Law Commission following their recent consultation about changes to Private Hire legislation continue to recommend that all drivers undergo disability awareness training.

## 2. Issues

Private Hire and Hackney Carriage drivers are vocational drivers and are responsible for the safety and well being of fare paying passengers.

The Council are under an obligation to ensure that before granting a Hackney Carriage or Private Hire Drivers licence that the recipient is a 'fit and proper person'.

- 2.1 Private Hire and Hackney Carriage transport remains the last occupations where it is not mandatory to hold any qualification or to have received any training.

- 2.2 The Council grant Hackney Carriage and Private Hire Drivers Licences to applicants unaware if they are able to correctly assist wheelchair users into a vehicle and not knowing if they have any knowledge of the Disability Discrimination Act and how it affects them as drivers.

At present the Council do not have a Policy which mandates that drivers undergo any type of training before or after they are issued a licence.

- 2.3 Since the Council removed the restriction on Hackney Carriages there has been a significant increase in the number of applications for both Hackney Carriage and Private Hire drivers licences not only from those migrating from one type of licence to another but also from those who have no knowledge of the vocation they are attempting to enter. Whilst part of the application process involves taking a test to ensure the applicants are aware of the legislation governing Private Hire and Hackney Carriage, to have some knowledge of the conditions attached to licences, and to have some knowledge of the Borough of Newcastle, there is no way of ascertaining their proficiency in other critical factors such as transporting the disabled.

The two most recognised providers of training for public transport operatives are:-

Local colleges that provide BTech training and,

The Driving Standards Agency (DSA) who provide a test specifically designed for private hire and hackney carriage drivers.

At present Stoke on Trent College has funding available for BTech applicants, however the DSA have the following fee structure:-

- |  |        |
|--|--------|
| a) Hackney Carriage saloon vehicles and Private Hire saloon test | £79.76 |
| b) Hackney Carriage Wheelchair Accessible vehicle test           | £92.94 |
| c) Taxi wheelchair exercise                                      | £26.56 |

Should the Committee resolve that new applicants be required to hold a qualification are they minded to consider the same requirement for those already holding a licence whose licence

is to be renewed? Further where existing drivers are renewing a licence and evidence exists that they have received training that an amnesty be considered.

3. **Options Considered**

3.1 To consider the recommendations highlighted earlier in the report about driver training.

3.2 Do nothing.

4. **Proposals**

4.1 That from the 1st October 2013 all new applicants for private hire and hackney carriage drivers licences be required to have either a relevant BTech qualification or to have passed the DSA taxi drivers exam which encompasses elements of dealing with wheelchairs and the disabled

Further to initiate a consultation commencing on the 1<sup>st</sup> October 2013 with existing drivers regarding the implementation of the requirement that they also should hold a qualification, or have received relevant training. The consultation will ask which of the following options would be preferable to the existing drivers and to seek their views as to any suitable alternative :-the options are

a) By the 1<sup>st</sup> October 2015 to have obtained a relevant qualification – any renewed licences issued between now and the 1<sup>st</sup> October 2015 will be extended to the 3 year maximum on production of the relevant qualification.

b) Regardless of the expiry date of a licence that on renewal the applicant must hold a qualification.

Finally to grant an amnesty to existing drivers on renewal of their licences who already hold a relevant NVQ.

5. **Reasons for Preferred Solution**

As highlighted earlier in the report

6. **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

Directly linked to Creating Safer and Greener communities

7. **Legal and Statutory Implications**

The Council are obliged to ensure that Drivers are Fit and Proper persons

No decision can be considered until Consultation has taken place

8. **Equality Impact Assessment**

There are no equality issues

9. **Financial and Resource Implications**

Failure to obtain full funding for training may result in the Council being asked to consider contributing to a training programme.

10. **Major Risks**

The Council could be at risk of challenge from drivers who object to obtaining the qualifications

11. **Key Decision Information**

This is not a key decision

12. **Earlier Cabinet/Committee Resolution**

None

13. **List of Appendices**

14. **Background Papers**

15. **Management Sign Off**