

ITEM 7 Hackney Carriage and Private Hire Vehicle Licensing Guidelines (Policy) – Driver assessments

Report of the Head of Legal and Democratic (Portfolio: Corporate)

Recommended:

That the revision to the Hackney Carriage and Private Hire Vehicle Licensing Guidelines relating to driver assessments be adopted so that driver assessments are undertaken by a provider approved by the Head of Legal and Democratic.

SUMMARY:

- The Hackney Carriage and Private Hire Vehicle Licensing Guidelines require drivers to undertake the Driving and Vehicle Standards Agency (DVSA) Taxi Driver Test where there is need for the driver's competency to be tested.
- The DVSA have advised that they will cease to provide such tests and so a change to the current policy is recommended to allow for alternative providers to deliver such assessments.

1 Introduction

- 1.1 Legislation enables local authorities to administer licences for hackney carriages and their drivers and private hire drivers and operators and their vehicles. In 2007 this Committee adopted a Hackney Carriage and Private Hire Vehicle Licensing Guidelines document that sets out the Council's approach to these areas of licensing. The document is in essence the Council's policy on taxi and private hire licensing and includes requirements for those seeking to be licensed drivers.

2 Background

- 2.1 Hackney Carriages and Private Hire Vehicles form a vital part of the public transport network within the Borough. The Hackney Carriage and Private Hire Vehicle Licensing Guidelines policy document states that "Any driver who accumulates 9 points on his licence will have his driver's licence suspended pending the completion of the DVSA Taxi Drivers Test". Whilst the very nature of their occupation potentially places taxi drivers more at risk of attracting motoring convictions, there comes a point at which a driver will have accumulated sufficient number of penalty points such that their continued position as a licensed driver may be called into doubt.

- 2.2 In addition, the Guidelines require drivers with certain motoring convictions to undertake and pass the DVSA Test if they are to be licensed. The specific situations where passing the test is necessary are set out in the extract of the Guidelines attached as Annex 1 to this report.
- 2.3 Regrettably the DVSA have reviewed their services and decided that they will no longer provide the Taxi Driver Test as from early 2017. It is therefore necessary to find an alternative provider and revise the policy accordingly. A number of local authorities in Hampshire already make use of the Blue Lamp Trust for undertaking driver assessments and it is suggested that this organisation undertake tests in future. The Blue Lamp Trust is a charitable organisation supported by Hampshire Constabulary and Hampshire Fire and Rescue Service which provides driver education and training amongst other services. Any profits created from operating the Trust are used to operate the Bobby Scheme which provides tangible support to vulnerable people in the County, particularly victims of domestic burglary and of domestic violence. The Trust also bids for community funding from central and local government and to makes grants to local schemes working towards reducing crime, the fear of crime and the risk of fire in the County.
- 2.4 Whilst there is no suggestion that the Blue Lamp Trust will at any time cease to provide driver assessments, it is suggested that rather than alter the policy to make specific reference to them the policy merely state that drivers will undertake an assessment using a provider approved by the Head of Legal and Democratic. This will allow for any additional or alternative providers without the need to seek specific approval each time.

3 Corporate Objectives and Priorities

- 3.1 Hackney Carriage and Private Hire licensing falls within the broader remit of public safety. In deciding whether a licensed driver should be issued with and then retain their licence, the overriding consideration will be the protection of the public. As drivers are employed in a position of trust where safety is of the utmost importance, the Council's policy is that once drivers accumulate a certain number of penalty points or have certain motoring convictions, the licence will be suspended pending the driver satisfactorily undertaking a driver assessment.

4 Consultations/Communications

- 4.1 There has been no consultation with the taxi trade on this matter as only a handful of drivers have in recent years been required to undertake the DVSA test and so a change in provider is of no significant impact.

5 Options

- 5.1 There is no alternative option as the DVSA will cease to provide driver assessments and so if not revised the current policy will become outdated. It is the view of officers that requiring drivers to undertake assessments when there is concern over their suitability to hold a licence is appropriate and necessary.

6 Resource Implications

- 6.1 There are no direct resource implications as a result of this recommendation. The cost of undertaking the driver assessment will continue to be met by the driver. The content of the driver assessment is set out in Annex 2 to this report.

7 Legal Implications

- 7.1 There are no specific implications as a result of the revision to the current policy.

8 Equality Issues

- 8.1 The Committee may wish to know that a previous Department for Transport National Travel Survey showed that taxis and private hire vehicles are commonly used by younger people and those on low incomes who do not have access to a household car and for whom such vehicles provide an essential safe form of transport. Women aged 16 to 20 years make the greatest number of trips in taxis and private hire vehicles.

9 Other Issues

- 9.1 Community Safety – see paragraph 3.1 above.
- 9.2 Environmental Health Issues – none.
- 9.3 Sustainability and Addressing a Changing Climate – none.
- 9.4 Property Issues – none.
- 9.5 Wards/Communities Affected – the whole Borough.

10 Conclusion

- 10.1 Whilst not a statutory requirement it is considered good practice and an integral part of ensuring that drivers are “fit and proper” to have a policy requiring driver competency to be assessed when there are concerns as a result of motoring convictions. A revision to the policy is necessary to account for the decision of the DVSA to cease providing the Driver Taxi Test.

<u>Background Papers (Local Government Act 1972 Section 100D)</u> Department for Transport National Travel Survey 2005 Reports to Licensing Committee 31 July 2007 and 11 October 2011			
<u>Confidentiality</u> It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.			
No of Annexes:	2		
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