

EAST HERTS COUNCIL

LICENSING COMMITTEE – 16 MARCH 2017

REPORT BY HEAD OF HOUSING AND HEALTH

TAXI LICENSING UPDATE

WARD(S) AFFECTED: ALL

Purpose/Summary of Report

- To update the Licensing Committee of the results following the introduction of a new Convictions Policy and mandatory training for licensed drivers.
- To look at future work in this area.

RECOMMENDATION FOR LICENSING COMMITTEE: That

(A)	The information be noted and Members' comments be addressed by the Head of Housing and Health.
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1.0 Background

1.1 On the 14th July 2016 the Licensing Committee made the following decisions:

- To approve the revised convictions policy to come into effect on 15th July 2017;
- To introduce mandatory training and testing for all new driver applicants from 1st August 2016;
- To introduce mandatory update training for all renewing drivers from 1st January 2016.

1.2 This report is to update Members on the impact that these changes have had regarding public safety and the lessons learned.

1.3 The final section of the report will inform Members of the work it is proposed to carry out in 2017 with regards to taxi licensing.

2.0 Report

2.1 **Driver Convictions Policy**

2.2 The Driver Convictions Policy has been applied to every new driver or renewing applicant since it came into force on 15th July 2016. There were 7 matters that had occurred before this date, but were considered after this date, so had to be considered under the policy that existed at that time.

2.3 The approval of the Convictions Policy delegated some decision making to the Head of Housing & Health, or in his absence to the Chief Executive, in consultation with the Chair of the Licensing Committee.

2.4 **Essential Reference Paper 'B'** contains details of the decisions made since the new policy came into effect.

2.5 Appeals have been lodged at magistrate's court against 4 of the decisions taken by the authority and we are preparing to defend these.

2.6 The Convictions Policy encourages applicants with convictions or other relevant non-conviction information to speak to the Licensing Team before submitting an application. This has happened on a number of occasions and often applications are not subsequently received. This figure is difficult to record as prospective applicants do not always give any details other than the type and number of convictions.

2.7 We are required by law to consider all applications for drivers licenses even if they are outside policy. This takes up a considerable amount of Officer time and if the application is refused the fee must be refunded. We have had 7 new driver applications with convictions since the new Convictions Policy came into effect. Two have been refused and the other 5 have been withdrawn chosen to withdraw their applications saving considerable cost and officer time.

2.8 Four drivers have accumulated 9 or more penalty points on their DVLA driver's licences since the new policy came into effect. Three have subsequently passed the approved driving test as required so the Authority is able to demonstrate that it has fulfilled its obligations regarding public safety.

- 2.9 The other driver who had received 9 DVLA penalty points decided that he would not renew his licence with us.
- 2.10 The robust and clear Convictions Policy appears to be having the desired effect by discouraging applications from persons with relevant convictions and being a useful tool to aid both Members and Officers in making decisions which ensure public safety.
- 2.11 **Mandatory Training and Testing**
- 2.12 The Mandatory Training and Testing for new applicants for driver's licences first took place on 12th October 2016 as the September date was cancelled due to a lack of candidates. This came as a surprise considering the number of applications that were being received in the year before the new training and testing and Convictions Policy were introduced.
- 2.13 It quickly became apparent that the number of people making applications to become East Herts licensed driver's had at least halved.
- 2.14 The decision was taken to combine the courses so that both East Herts and Watford candidates attend on the same day. This allowed both authorities to ensure cost recovery, without putting up fees, and to provide increased numbers of available dates.
- 2.15 To date 29 people have booked the training day and 5 people have failed to attend the course without notice so they have forfeited the fee.
- 2.16 Of the 24 that have attended 11 people have failed the routes tests and subsequently booked at least one resit. Applicants never resit the same test so are not able to simply learn the particular routes that they were previously asked. It is noticeable that with each resit candidates knowledge has improved so they are obviously taking the time to study.
- 2.17 Similarly applicants appear to be reading the 'Driver's Handbook' before attending the course as only two applicants have failed the rules and regulations part of the testing. This is a positive step forward and hopefully leads to newly licensed driver's having a better understanding of what is required of them by the Authority and what they can and cannot do.

- 2.18 Feedback from applicants, even those that failed the test part of the training day, has been very positive. The introduction of the scheme was reported in the Mercury and made the January edition of Private Hire and Taxi Monthly which is a national trade publication; see **ESSENTIAL REFERENCE PAPER 'C'**.
- 2.19 The course content is constantly being reviewed but no changes are proposed in the near future.
- 2.20 **Update Training**
- 2.21 Since the inception of the Update Training for existing licensed drivers at renewal there has been a legislation change that has impacted its delivery.
- 2.22 Originally driver's licences were of one year duration but a national legislation change means that the vast majority have moved to three year duration. This has significantly changed the pattern of renewals and means that the majority of the training to be delivered at renewal would not be delivered until 2019.
- 2.23 Between January 1st 2017 when the training started and December 31st 2018 there are only 94 driver renewals. Between January 1st 2019 and December 31st 2019 there are 319 driver renewals.
- 2.24 To date only 4 renewing drivers have attended the update training any there appears to a reluctance to attend. These were all individuals that have been licensed by East Herts for a number of years but despite this they all left commenting that they had learnt something.
- 2.25 As a result of the numbers of renewing drivers being so skewed the dates for update training have been cut back so that they can accommodate the renewals whilst allowing us time to make arrangements to bring the training of the remaining drivers forward.
- 2.26 There are a number of options being looked at to ensure that the update training can be delivered in a timelier manner and these will be brought before the Licensing Committee for a decision at a future date.

2.27 Future Work

2.28 Moving forward at the end of March we will embark on a 12 week consultation on the following matters:

- Vehicle conditions;
- Driver conditions;
- Driver code of conduct;
- Licensing Record Points Scheme;
- Authorised garages and whether to continue requiring Vehicle Condition Certificates;
- Medicals and whether to authorise one provider rather than various GP's;
- How to encourage more fully wheelchair accessible vehicles to be licensed in East Herts;
- How to encourage a greener taxi fleet;
- Is there a need for an English competency test?
- Possible amendments to the Convictions Policy.

2.29 Officers would welcome Members thoughts on any part of the current system of licensing and all the information has been pulled together in the 'Driver's Handbook' which can be found at: <http://www.eastherts.gov.uk/article/22111/Taxi-Policy-and-Handbook>

3.0 Implications/Consultations

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

Background Papers

None.

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