

LICENSING COMMITTEE

APPLICATION STANDARDS - RESULTS OF CONSULTATION

16 November 2023

Report of Licensing Manager

PURPOSE OF REPORT

To provide members with the outcome of the public and trade consultation regarding application standards for Hackney Carriage and Private Hire Drivers. Members are required to consider amending application standards in light of consultation responses, updates on training provision and information contained in a previous reports on the same matter.

This report is public.

RECOMMENDATIONS

- (1) That members note the outcome of the public and trade consultation regarding application standards, including data collated by Officers, and;
- (2) Consider any amendments to application standards in light of the Officer updates and options available to them.

1.0 Introduction

- 1.1 At a meeting of the Licensing Committee on 7 September members considered a report regarding a review of application standards for both Hackney Carriage and Private Hire Drivers Licences, Additionally, Officers provided benchmarking of application standards across Cumbrian and Lancashire Licensing Authorities.
- 1.2 This was in response to the local shortage of licensed drivers and concerns expressed by the licensed trade via the taxi working party regarding perceived barriers to new drivers entering the trade, including but not limited to the comprehensive and often lengthy, application process.
- 1.3 Members were presented with options to consider at the meeting, including amending disclosure and barring certificate providers, reviewing training requirements and validity of driving assessments as part of the application process. Members deferred any decision making at the September Licensing Committee instead preferring to consider public and trade opinion.
- 1.4 It was determined that a period of consultation would be undertaken, and the findings reported to Licensing Committee.

2.0 Proposal Details

- 2.1 Officers compiled 11 questions to create an online survey using the Councils keep connected platform. The survey included questions relating to driver application standards, including the requirement to rank the importance of parts of the application process to them personally, thoughts on their safety whilst travelling in licensed vehicles and what their barriers were to use the services of a licensed vehicle more frequently.
- 2.2 The survey was promoted by the communications team on various social media platforms, shared directly with the licensed trade and sent to Lancaster University contacts in a bid to ensure a cross section of views/opinion are considered as part of the consultation.
- 2.2 The consultation survey was live from Monday 2nd October - Monday 30th October, inclusive. A copy of the consultation questions is attached at **Appendix 1**.

3.0 Details of Consultation

- 3.1 During the consultation period a total of 201 responses to the survey were received, a further 5 emails were received containing additional comments regarding the perceived driver shortage and application standards. They claim that the shortage of drivers is not felt on the ground and that it is predominantly in the evenings where the shortfall is evident. Further comments were made that were not part of the consultation questioning. Full details attached at **Appendix 2**.
- 3.2 Attached at **Appendix 3** is the data collected via the consultation process, key points in the analysis of the responses is as follows.
- Completion of an enhanced disclosure and barring service certificate was the most important application criteria (on average), closely followed by a professional driving test.
 - That drivers should be required to complete a medical examination every 3 years (40%) or annually (34%).
 - Over half of those responding felt it highly important to assess driving standards prior to Licensing.
 - 64% felt it was important or highly important for new applicants to complete a formal qualification.
 - Over 90% feel the knowledge test and safeguarding assessments were important or highly important.
 - 66% have struggled with obtaining the services of a licensed vehicle in the last 12 months.
 - Reassuringly over 90% felt safe when travelling in licensed vehicles locally.
- 3.3 Questions 8 asked respondents to state what put them off using licensed vehicles, responses can be viewed at pages 9-24 of appendix 2 and question 10, why they felt safe/unsafe using licensed vehicles locally, pages 26-36.

4.0 Options

- 4.1 At a previous meeting of Licensing Committee members were presented with 3 options, they were.

- a) Consider removal of the requirement to complete a professional driving test as part of application criteria for private hire and hackney carriage drivers' licences.
- b) Instruct a third party to undertake disclosure and barring certificates and update service checks on behalf of new and renewal applicants for private hire and hackney carriage drivers' licences.
- c) Consider allowing applicants to complete the BTEC qualification (or equivalent) within the first year of licensing, removal of qualification requirements in whole or part or maintain current standards.

4.2 Since the previous meeting, the Licensing Manager has met with Lancaster and Morecambe College (LMC) regarding the course provision for the coming year, unfortunately LMC can no longer provide the City and Guilds Level 2 course currently required as part of the licensed driver application process.

However, it is proposed that a bespoke 2-day certificate can replace previous qualification requirements, the knowledge test and safeguarding presentation will also be built into the bespoke training. Importantly, this can be facilitated without any cost to prospective drivers living in the district, it will be funded until March 2025 by the UK shared prosperity fund.

The previous 9 module qualification has been condensed into 2-days of learning with 2 exams, with some components being removed, the tutor who will deliver the course has provided an overview of content at **Appendix 4**. It is important to highlight that the number of attendees can be raised from 8 to 12 per session and can be delivered on 10 occasions in 2024.

Lancaster and Morecambe College are keen to promote the training provision via their communications, Licensing will engage with communications and marketing within the Council to support and promote the training and licensed trade as a profession.

5.0 Conclusion

5.1 The consultation was undertaken to obtain the views of the travelling public, along with the wider views of the licensed trade. The data collated suggests that the application standards currently in place are robust and would support the views of the public.

5.2 It is the recommendation of the Licensing Manager that members approve utilising the services of a third party to facilitate DBS applications and interim checks as a matter of urgency, the turnaround time for such applications is significantly quicker than the current system and will assist in streamlining the application process. It will also relieve some of the administrative burden on the licensing team.

The new training option is free to those living in the district and covers important information relating to the requirements of being a licensed driver, furthermore Lancaster and Morecambe college can facilitate the knowledge test and safeguarding assessment for applicants, which is of paramount importance. The frequency and numbers permitted to attend has also been increased, these changes will hopefully not be perceived as a barrier to those wanting to enter the licensed trade.

Feedback from the survey suggests that the public viewed assessing the driving standard of applicants prior to licensing as important, members may wish to consider the merits of removing the requirement. Accessibility and availability of testing is consistently available by local providers.

- 5.3 In April 2021 members of Licensing Committee adopted the private hire and hackney carriage licensing policy, the policy brought together existing policies and procedures into one encompassing document, to be used as a reference tool for staff, elected members, and service users. Any departure from the current application criteria must be assessed against the aims of the policy, protecting public safety in its widest context.
- 5.3 Any changes to application criteria and therefore the private hire and hackney carriage licensing policy will be considered by Licensing Committee early 2024.

**CONCLUSION OF IMPACT ASSESSMENT
(including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing):**

When considering an individual's suitability to hold a licence, the protection of the public is paramount, any decision to amend the current application standards must be assessed against the risk to public safety.

LEGAL IMPLICATIONS

The application process for private hire and hackney carriage drivers requires several tests be satisfied before the Council can consider an individual "fit and proper" to be a licensed driver.
Any refusal of a licence is subject to an appeal process as set out in the relevant section of legislation.

FINANCIAL IMPLICATIONS

There are no financial implications, The cost of the administration and issuing of a drivers licence is based on full cost recovery, therefore any change to the current process would need to be reflected in next year's licensing fees.

OTHER RESOURCE IMPLICATIONS, such as Human Resources, Information Services, Property, Open Spaces

None Identified

SECTION 151 OFFICER'S COMMENTS

None Identified

MONITORING OFFICER'S COMMENTS

None Identified

BACKGROUND PAPERS

Licensing Committee Sept 2023

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