



Licensing and Regulatory Committee	Thursday, 12 October 2017	Matter for Information and Decision
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Title: **Licensing Team: Capacity and Other Issues**

Author(s): **Stephen Glazebrook (Interim Head of Communities)**

1. Introduction

- 1.1. Members have raised concerns about capacity issues within the Licensing Team in light of the increasing number of taxi applications.
- 1.2. To help to address of the capacity and other related issues it is proposed to amend some of the existing procedures in relation to vehicle applications and driver competency tests.
- 1.3. It is also proposed to introduce child sexual exploitation and disability awareness training for all existing taxi drivers and all prospective applicants.

2. Recommendation(s)

- 2.1. The pass level for competency tests to be raised to 45/50 in respect of driver's badges.
- 2.2. To introduce HPI checks for all new vehicle applications.
- 2.3. All new and renewal applications for vehicles to be subject to a visual inspection prior to being tested by an authorised testing station.
- 2.4. To introduce child sexual exploitation and disability training for all licensed drivers.

3. Information

- 3.1. In September 2017, the Department of Transport published the following statistics relating to OWBC licensed vehicles and drivers.

	31/05/2015	07/09/2016	15/09/2017
Combined Drivers Licences	168	291	349
Hackney Vehicles	59	197	218
Private Hire Vehicles	91	85	83

Currently there are 83 applicants (including 32 re-sits) waiting to sit competency tests.

3 renewal applications are waiting processing and 47 applications are awaiting additional information to be provided before licences can be granted.

Applications for combined Hackney and Private Hire Drivers badges are still increasing although the reasons are not quantifiable. Within the number of applications received there has been a rise in the number of applicants from those who have previously

been private hire drivers with Leicester City Council who after being granted a combined drivers badge are now opting to use Hackney Carriage vehicles. Legislation dictates we cannot limit the amount of driver badges we issue, however, having refreshed the written competency test the amount of successful drivers has decreased.

Historically the pass mark for both the driver's competency written test and that of the operator's competency written test was 45/50. For reasons unknown to the current Licensing Team, the driver's competency test now requires a lower pass rate of 40/50 as opposed to the high pass rate of 45/50 for an applicant wishing to be an Operator with the Borough.

Members are asked to consider and approve an increase in the drivers competency pass mark to 45/50 in line with the operator's license.

- 3.2. HPI Checks are a vehicle history check which will allow the Authority to check the insurance database to ascertain any damage history and the status of any prospective vehicle. The present application policy for vehicles does not include the checking of the insurance status of vehicles. A HPI check will establish whether a vehicle has been involved in an accident and the insurance category placed on it by the insurance company. There are different types of car insurance write off.

Category A	Scrap Only – For cars so badly damaged they should be crushed and never re-appear on the road. Even salvageable parts must be destroyed
Category B	Body shell should be crushed. Signifies extensive damage, although some parts are salvageable. Should never re-appear on the road, although reclaimed parts can be used in other road-going vehicles
Category C	The vehicle is repairable but the cost exceeds the vehicles value. Can re-appear on the road
Category D	The vehicle is repairable but repair costs are significant compared to the vehicle value – including time delays to source parts. Can re-appear on the road

Recently applications have been received for vehicle's which have previously been categorised as a Category C or D by the Insurance industry to be Hackney Carriage vehicles. To maintain the high level of public safety and public confidence it is recommended that all new applications for Hackney and Private hire vehicles are HPI checked and those which have been classified as C or D should be checked by an independent company such as Auto Line who have the facilities to rigorously check repaired vehicles and where applicable remove the Category C or D Status and a certificate issued to that effect. Any vehicle which fails to have the Category C or D status removed should be refused at application stage.

- 3.3. Age Limits of Vehicles – the present policy allows vehicles less than 5 years of age to be licensed without a visual inspection by the Licensing Team. Recently it has been noted on receiving inspection reports from the approved MOT Testing Stations that although vehicles have passed the mechanical inspection the exterior and internal standard of vehicles has not been high. It is therefore recommended that all vehicles should undertake a visual inspection by the Licensing Officers to ensure that the vehicles licensed are of a high standard both inside and out. At present the vehicle policy does not licence vehicles over 11 years old unless a visual inspection has been

completed by a Licensing Officer and strict criteria is adhered to. It is recommended that the same criteria is applied to all new vehicle applications and renewals applying to be Hackney Carriages or Private Hire vehicles. There is a fee payable by the applicant for this inspection on application of £30.00.

- 3.4. The work load in respect of vehicles and driver applications has more than doubled since March 2015 this is in addition to the other duties of the Licensing Team e.g. work associated with the Licensing Act 2003, Gambling Act 2005, Animal Boarding, etc. In order to fully assess the workload it is proposed to carry out a full review of the systems and working practices within the Licensing Team to ensure that the team are working as "SMART" as possible which will inform the optimum staffing levels required in respect of administration and enforcement.
- 3.5. Following national concerns, OWBC is considering how it can act to prevent Child Sexual Exploitation (CSE) in the Borough. It is proposed that all licensed taxi drivers should be required to undertake a half day training course. This would focus on preventing CSE, but would also include information on other areas, such as disabled access to taxis and other licensing requirements.
- 3.6. There are approximately 349 licensed drivers. It is proposed that the drivers would be trained within 12 months of implementation of the policy. Drivers would be required to undertake the training within 3 months of the renewal of their licence. Training courses would run monthly, to give a choice of dates. If a driver does not undertake the training, then their licence would be suspended unless they could offer a reasonable explanation of why they had not taken up the training or had made arrangements to attend the course in the near future.
- 3.7. New drivers would be required to undertake the training within 3 months of being granted their licence. Again, their licence would be suspended if they did not attend the training.
- 3.8. It is proposed to use an external training provider, who is currently providing CSE training to Leicester City Council and other neighbouring authorities.
- 3.9. It is proposed to pay for the training from the taxi licensing income and the costs will be added to the application fee for new driver's licences.
- 3.10. It is likely that a number of drivers would book and fail to attend the training course, or want to change dates at short notice. This would inevitably increase costs and it would therefore be necessary to levy a penalty charge in these circumstances.
- 3.11. All hackney carriage, private hire vehicle, drivers and operator licence holders will be consulted on the proposals. The outcome of the consultation will be reported at the next Licensing and Regulatory Committee.

Background Documents:

Local Government (Miscellaneous Provisions) Act 1976, section 70 - Fees for vehicle and operators' licences.

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Implications Licensing Team: Capacity and Other Issues	
Finance	There are no significant financial implications.
Chris Raymakers (Head of Finance, Revenues and Benefits)	
Legal	There are no significant legal implications.
Martin Hone (Interim Director of Services)	
Corporate Risk(s) (CR)	<input checked="" type="checkbox"/> Decreasing Financial Resources (CR1) The additional cost of providing the CSE and Disability Training will be met from increased license fees. <input checked="" type="checkbox"/> Reputation Damage (CR4) Failure to ensure that the Council has taken all reasonable steps to prevent sexual exploitation in the Borough could damage the Council's reputation. <input checked="" type="checkbox"/> Organisational/Transformational Change (CR8) A full review of procedures and working practices will be carried out to ensure that the team is working effectively.
Stephen Glazebrook (Interim Head of Communities)	
Corporate Priorities (CP)	<input checked="" type="checkbox"/> Effective Service Provision (CP2) The updated procedures will support effective service delivery.
Stephen Glazebrook (Interim Head of Communities)	
Vision & Values (V)	<input checked="" type="checkbox"/> Accountability (V1) Policy and procedures makes all Licensing Officers responsible for implementation. <input checked="" type="checkbox"/> Respect (V2) The actions being taken to ensure that vehicles are roadworthy will assist the Council in delivering a safer Borough for residents.
Stephen Glazebrook (Interim Head of Communities)	
Equalities & Equality Assessment(s) (EA)	There are no significant equalities implications.
Stephen Glazebrook (Interim Head of Communities)	<input checked="" type="checkbox"/> Not Applicable (EA)