

Telford & Wrekin Council

Licensing Committee – 12th December 2011

Private Hire and Dual Driver Licence Conditions

Report of the Service Delivery Manager – Public Protection

1. Purpose

- 1.1 To update Members regarding funding for Hackney Carriage and Private Hire Driver qualifications and for Members to review the condition of licence for Private Hire and Dual Drivers relating to driver qualifications in light of the available funding.

2. Recommendations

- 2.1 That having considered the information contained within this report that members resolve to replace condition 7.2a) of the Council's Private Hire Driver Condition and 7.2 Dual Driver condition with the following condition of licence:

*That **all** Drivers must undertake a qualification in "Transporting passengers by taxi and private hire" or similar qualification within twenty-four months of this condition coming into force.*

3. Summary

- 3.1 Following a public consultation on the review of Private Hire and Dual Driver Conditions, on 7th September 2011 Members of the Council's Licensing Committee considered a review of Private Hire Licence Condition 7.2a) and Dual Driver Condition 7.2.
- 3.2 Since the Licensing Committee Hearing of 7th September 2011, the Licensing Service has become aware of available funding for the The Business & Technician Education Council (BTEC) Vocationally Related Qualification (VRQ) for Hackney Carriage and Private Hire Drivers.

4. Previous Minutes

- 4.1 LC-05 – Licensing Committee 7th September 2011..

5. Information

5.1 Background

- 5.1.1 Telford & Wrekin Council has responsibility for licensing Hackney Carriage and Private Hire Vehicles, Drivers and Operators within the borough of Telford & Wrekin.
- 5.1.2 The purpose of licensing Hackney Carriages and Private Hire Vehicles, Drivers and Operators is for the provision of a safe and accessible service to the public.
- 5.1.3 Section 51(2) of LG(MP)A 1976 allows local authority to impose conditions that it considers reasonably necessary on a Private Hire Driver Licence.
- 5.1.4 Telford & Wrekin Council has traditionally, in accordance with the above, attached conditions to Private Hire Licences.
- 5.1.5 Following a twelve week consultation exercise on Private Hire Driver Licence Condition 7.2a) and Dual Driver Licence Condition 7.2, Members of the Council's Licensing Committee on 7th September 2011 considered the proposed amended conditions in light of the responses received. The Consultation Questionnaire with responses is attached at Appendix A.
- 5.1.6 The current condition of licence for Private Hire and Dual Drivers requires all new drivers to complete a qualification in transporting passengers by taxi or private hire vehicle, or similar qualification, within twelve months of being issued with a licence. A copy of the Council's conditions of licence are attached at Appendix B.
- 5.1.7 The qualification which has previously been taken by new drivers and also voluntarily taken by over one hundred existing drivers was in the form of an NVQ delivered by Telford College of Arts and Technology (TCAT). This was delivered at no cost either to the drivers or to the Council as there was funding available through Train to Gain.
- 5.1.8 The Public Protection Team Leader had recently been informed by TCAT that no funding has been allocated by the Government for this academic year to deliver the qualification. The cost for a standard NVQ is £1172 per driver.
- 5.1.9 Members considered that given the current economic climate it would not be appropriate to introduce the proposed revised condition for all existing drivers and resolved to retain as currently worded, conditions 7.2a) and 7.2 for Private Hire and Dual Drivers, i.e. the requirement to

undertake a qualification in transporting passengers applied to new drivers only.

5.1.10 The Licensing Service has now been informed that there is funding available for the Edexcel BTEC Level 2 Certificate in the Introduction to the Role of the Professional Taxi and Private Hire Driver. A list of the units which make up the BTEC are attached at Appendix C.

5.1.11 To continue delivering this qualification, should funding cease in the future, as an Edexcel accredited company the Training Provider would work closely with the Council to deliver an excellent standard of the course and with low overheads would be able to set a figure of £295.

5.1.12 There are currently 44 Telford & Wrekin Council licensed drivers who have either already enrolled on or will be enrolling later this week on the BTEC qualification. These are a mix of new drivers for whom it is mandatory in accordance with their conditions of licence and existing drivers who have volunteered to do the qualification.

5.2 Equal Opportunities

5.2.1 A Community Impact Assessment has been carried out on the review of Hackney Carriage, Private Hire Driver and Private Hire Vehicle Conditions of Licence and is attached at Appendix D.

5.3 Environmental Impact

5.3.1 There is no environmental impact arising from this report.

5.4 Legal Comment

5.4.1 Section 51(2) of the Local Government (Miscellaneous Provisions) Act 1976 allows the council to attach to the grant of private hire vehicle driver licences such conditions as it may consider reasonably necessary.

5.5 Links with Corporate Priorities

5.5.1 This report has links to the following Priority Plan objectives :

1. Creating a safer community

(b) Safeguard health and safety of the community

5.6 Opportunities and Risks

5.6.1 In proposing this action the Corporate Risk Management Methodology has been complied with. This approach is not intended to eliminate

risks but to identify the risks and manage them. However not all risks can be managed all of the time and some risks may not have been identified.

5.6.2 The following key risks and opportunities associated with this action have been identified and assessed and arrangements will be put in place to manage them.

- (i) The Financial risks to the Council in the event of an appeal to the Magistrates Court.

5.7 Financial Implications

5.7.1 There are no financial implications arising from this report, other than those noted in Section 5.6.2.

6. Ward Implications

6.1 This report has implications for all wards in the District.

7. Background Papers

7.1.1 Equality Act 2010

7.1.2 Local Government (Miscellaneous Provisions) Act 1976.

7.1.3 TWC Conditions of Licence for Private Hire Drivers

7.1.4 TWC Conditions of Licence for Dual Drivers

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