



## North Devon Council

Report Date: 11 October 2022

Topic: Hackney Carriage and Private Hire Policy Amendments

Report by: Katy Nicholls, Public Protection Manager

### 1. INTRODUCTION

1.1. The purpose of this report is to consult the Licensing and Community Safety Committee on possible amendments to the Driver Qualification Standards found within the North Devon Council Hackney Carriage and Private Hire Licensing Policy (the 'policy').

### 2. RECOMMENDATIONS

2.1. It is RECOMMENDED that Licensing and Community Safety Committee:

2.1.1 Consider the new driver process benchmarking document found at **Appendix A**.

2.1.2 Consider any amendments that it would wish to make to the Driver Qualification Standards section of the Policy, including those listed for consideration below, and indicate their preferred option:

- Option 1: To retain the requirement for a vocationally recognised taxi qualification, but to amend the policy to allow applicants to obtain this qualification within the first 12 months of holding a licence;
- Option 2: To remove the requirement for a vocationally recognised taxi qualification, and replace this with a New Taxi Driver Training course to include modules on taxi legislation and customer care, disability awareness, and Safeguarding (CSE).
- Option 3: To remove the requirement for a vocationally recognised taxi qualification, and replace this with a requirement to undertake mandatory safeguarding (CSE), and disability awareness training. Furthermore, this could be either prior to obtaining a licence, or within the first 12 months of the licence.
- Option 4: To retain the requirement for a vocationally recognised taxi qualification, but give an alternative training option of a new

driver training course (either the vocationally recognised taxi qualification, OR the New Taxi Driver Training Course). Again this could be either prior to obtaining a licence in the case of the new driver course, or within the first 12 months of the licence for the vocationally recognised taxi qualification.

- Option 5: to maintain the current Driver Qualification Standards without amendment;

- 2.1.3 Direct Officers to make amendments to the Driver Qualification Standards section of the Policy in-line with their preferred option;
- 2.1.4 Approve proposed amendments to the Testing of Applicants section of the Policy (Section 4.9), specifically the removal of questions on the Highway code and Hackney Carriage/ private hire legislation/ policy on the basis that these requirements are adequately tested via other elements of the driver qualification process.
- 2.1.5 Make recommendation to the Strategy and Resources Committee for the approval of an amended policy.

### 3. REASONS FOR RECOMMENDATIONS

3.1. To ensure the Council's policies are regularly reviewed and kept up to date.

3.2. To address recently raised concerns regarding the length of time required for an applicant for a Hackney carriage or private hire driver licence to obtain a licence.

### 4. REPORT

4.1. The Licensing Team recently received the email found at **Appendix B**. The email/ letter discusses the time taken for two new taxi driver applicants to gain their driver badges, and references significant delays in being able to undertake the required BTEC qualification, and then subsequent delays due to their DBS being more than 3 months old (as a result of the BTEC delays), and also for Officers to process and print their licences. A copy of the letter was also sent to the trade magazine Private Hire and Taxi Monthly, who printed a copy in their July edition. A copy of the article can be found at **Appendix C**.

4.2. Statistics compiled by the Department for Transport and the Labour Force Survey (part of the Office for National Statistics), appear to indicate a pronounced decline in driver numbers since the start of the Covid epidemic, in the order of 5.7%, whereas vehicle numbers have fallen 15.9% over the same period. Given that vehicle licences run for a maximum of 1-year, as opposed to driver licences which are more often 3-years in duration, it is

considered a credible theory that the decline in vehicle numbers more accurately reflects the true decline in currently active licenced drivers. A copy of the DFT Taxi and Private Hire Statistics for 2021 can be found at **Appendix D**. Initial statistics from the March 2022 return indicate a slight recovery in licenced vehicle numbers, but a continued fall in licenced driver numbers (down 3.4% since 2021).

- 4.3. The Licensing and Community Safety Meeting of 19<sup>th</sup> October 2021 also considered the decline in new driver applications to North Devon Council, after this was raised by a licensed driver who attended committee to discuss the issue. Figures quoted at that meeting for the number of new driver applications appear to show a sharp decline since Covid started, with 33 applications in 2011, 32 applications in 2018, 27 in 2019, and only 21 applications in 2020.
- 4.4. When comparing statistics for North Devon Licenced drivers and vehicles from March 2019 to March 2022, the March 2022 figures show a reduction of 9% for licenced drivers (a loss of some 27 licenced drivers), and a reduction in Hackney carriage numbers of 5% (10 vehicles). Private Hire vehicle numbers have increased by one vehicle since 2019 (3% increase).
- 4.5. Similar concerns regarding a drop in licenced driver numbers have also been quoted elsewhere in Devon, with Torbay Council reporting in July 2021 that it was short of 50 drivers (they responded to this by reducing the costs associated in obtaining a licence), and also Plymouth City Council which reported that 243 drivers had left the profession there since 2020.
- 4.6. The apparent reduction both nationally and locally, in both new driver applications and overall driver numbers, leads to concern about a potential impact on public safety through vulnerable persons not being able to access taxis or private hire vehicles as a safe means of transport when other forms of public transport are not available, such as late at night.
- 4.7. In light of this a bench marking exercise has been undertaken to examine the requirements for a new driver applicant across Devon, and also South West Somerset. The report (found at **Appendix A**), identifies broad consensus on elements such as medical, DBS, and driving test requirements, highlighting the apparent success of both regional Licensing Officer forums, and the more recent Statutory Taxi and Private Hire Standards, in improving consistency in this area. However, there did not appear to be any meaningful consensus on driver training requirements. In particular, both North Devon and Torridge appeared to be outliers in that new drivers are required to undertake a

vocationally recognised Taxi Qualification prior to obtaining a licence, whereas other authorities advocate a reduced training requirement and, in some cases allow drivers to obtain a licence and then complete the training requirement within the first 12 months.

4.8. Officers have evaluated the evidence collated in the benchmarking document and have proposed a number of potential options for consideration for amendment to the training requirements for new drivers outlined in the North Devon Council Taxi and Private Hire Policy. It is considered by Officers that amendment of the training requirements would be an appropriate means to address both the apparent difference in training requirement across Devon, and also the recent reduction in new driver applicants.

4.9. In order to speed up the process for the testing of applicants (knowledge tests), it is proposed that the sections of the test relating to the Highway code and Hackney Carriage/ private hire legislation/ policy be removed on the basis that these elements of the test are tested as part of the other new driver application requirements. Specifically, the driving standard assessment includes questions on the highways code which applicants must pass in order to pass the overall driving competency test. In addition, with the exception of Option 3 (replacement of the vocationally recognised taxi qualification with safeguarding and disability awareness training), all of the options outlined above for amendment of the Driver Qualification Standards section of the Policy include formal training on taxi law with tests at the end of each module. It is considered by Officers that the removal of these sections would assist in reducing the Officer time to administer the knowledge tests, thereby making more knowledge tests available within the current level of resource. If approved then the Policy wording at section 4.9 would be amended as follows:

*The Licensing Authority shall not grant a licence to drive a hackney carriage unless it is satisfied that the applicant is a fit and proper person. In order to determine such fitness, the applicant shall be required to undertake the following:*

- *Written tests as to the applicant's knowledge of:*
  - (a) *Local geography*
  - ~~(b) *The Highway Code*~~
  - ~~(c) *The Hackney carriage and Private Hire Licensing Policy*~~
  - (d) *Numeracy.*



## 5. RESOURCE IMPLICATIONS

5.1. Any financial costs which are reduced or incurred through the approval of a new policy will be taken into account when calculating fees for taxi related licences.

## 6. EQUALITIES ASSESSMENT

6.1. The impact of the proposals is largely neutral. An Equality Impact Assessment has been undertaken

## 7. CONSTITUTIONAL CONTEXT

7.1. Article of Part 3 Annexe 1 paragraph:4b

7.2. Referred or delegated power?: Delegated.

## 8. STATEMENT OF CONFIDENTIALITY

8.1. This report contains no confidential information or exempt information under the provisions of Schedule 12A of 1972 Act.

## 9. BACKGROUND PAPERS

9.1. The following background papers were used in the preparation of this report: (The background papers are available for inspection and kept by the author of the report).

- Hackney carriage and Private Hire Policies from all Devon Authorities, and South West Somerset;
- North Devon Council Hackney Carriage and Private Hire Licensing Policy;
- New Driver information webpages from all Devon Authorities, and South West Somerset;

## 10. STATEMENT OF INTERNAL ADVICE

10.1. The author (below) confirms that advice has been taken from all appropriate Councillors and Officers: Katy Nicholls 03.10.22