



AGENDA ITEM (8A)

PROPOSED AMENDMENTS TO HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES AND DRIVERS' LICENSING ADMINISTRATION AND CONSULTATION WITH THE LICENSED TRADE ON CHILD SEXUAL EXPLOITATION TRAINING

Accountable Member	Planning and Licensing Committee
Accountable Officer	Bill Oddy Group Manager (Environmental and Regulatory Services) 01285 623000 bill.oddy@2020partnership.uk

Purpose of Report	To make the Committee aware of some administrative improvements to the hackney carriage and private hire vehicles and drivers application process in the Cotswold District. To gain approval for consultation with the licensed trade regarding the proposal to introduce child sexual exploitation training
Recommendation	That the revised arrangements be approved.
Reasons for Recommendation	The Council exercises control over Taxi and Private Hire operations in accordance with the provisions of the Local Government (Miscellaneous Provisions) Act 1976 to ensure that vehicles, operators and drivers meet the required standards in order to protect the public

Ward Affected	All
Key Decision	No
Recommendation to Council	None

Financial Implications	Costs of the review have been met by the 2020 project
Legal and Human Rights Implications	None arising directly from this report
Environmental and Sustainability Implications	None
Human Resource Implications	None

Key Risks	There are a number of risks associated with the new assessment regime. The most significant risk is to public safety and the council must satisfy itself that licensed drivers meet the required standards in order to protect the public.
Equalities Analysis	Not required

Related Decisions	None
Background Documents	Cotswold District Council Hackney Carriage and Private Hire Licensing Policy (April 2011)
Appendices	Appendix 'A' - Cotswold District Council Hackney Carriage and Private Hire Licensing Policy (April 2011)

Performance Management Follow Up	Full policy review to take place in January 2017
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<p>Background Information</p> <p>1. Over the past fourteen months, as part of the Environmental Services Public Protection review, all licensing processes at this Council, as well as at its partner Councils in the 2020 Project (Forest of Dean and West Oxfordshire District Councils), have been reviewed. This review has included the documenting of existing processes across the Councils and the alignment of those processes with the aim of removing inefficiencies and improving customer service.</p> <p>2. The Licensing function within the Business Support Service goes live on 27th June 2016. Within the next six months a further report will be submitted to the Committee to review and align policy where appropriate and go out for consultation with the trade.</p> <p>3. As part of the review a number of administrative improvements have been identified which aim to remove delays for drivers in the processing of new applications or renewals and make the processes more efficient by using web based technology where possible.</p> <p>4. <u>Disclosure and Barring Service Improvements</u></p> <p>4.1 <u>Current Process</u></p> <p>4.1.1 The Disclosure and Barring Service (DBS) checks required for applications and renewals for private hire and hackney carriage driver licences, is a key part of the application/renewal process, and helps to build a picture of whether the Applicant is a 'fit and proper' person and can be granted a licence.</p> <p>4.1.2 Currently, this check is paper based where the Applicant must complete a four page application form. The Applicant then meets with a Licensing Officer who checks the application form and confirms they have seen sight of identification documents i.e. bank statements, passport, birth certificate etc. This meeting normally takes 30 to 40 minutes of Officer time plus additional 20 minutes of administration. The form is then sent to the DBS.</p> <p>4.1.3 The certificate which outlines the results of the check is sent directly to the Applicant and can take up to eight weeks. The Applicant must then share the results of the check with the Licensing Authority to demonstrate their suitability for a licence. This check costs the Applicant £44 and the fee is set by the DBS. A DBS check must be undertaken every three years</p>	
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4.2 Proposed Process

4.2.1 The new administrative process makes use of a web based service to vastly decrease the time taken to conduct the check and is a paperless process. Other public sector providers who undertake DBS checks use similar systems.

4.2.2 A procurement exercise has identified that the council could contract to a new web based Umbrella body - Complete Background Screening (CBS). This would mean that a new Applicant would complete an on-line application for a DBS check either at home or using the computer in the Council's reception area. The on-line system is very quick and easy and takes no more than ten minutes to complete. The other advantage is that with the on-line system there is less potential for error as the Applicant cannot continue unless the data input is correct. The Web-based system then e-mails the Licensing Authority to advise that a new request has been made. The Applicant brings their identification documents into the Council to be checked by a Licensing Officer. The on-line system then links automatically with the DBS which conducts the check. The results of the check are then e-mailed to the Applicant with a much quicker turnaround of seven-ten days, which means the application is processed much quicker for the new Applicant.

4.2.3 This new service costs the Applicant £6.00 plus VAT as a set administration fee in addition to the national DBS fee of £44. For the Applicant, the proposed scheme has the benefit of being quicker and more efficient, so they are able to start working much earlier than under the current system, particularly as in the case of new Applicants. The benefit for the Council is that there are no initial set up costs, it can be established very quickly and is less resource intensive for Officers to administer.

4.2.4 There is also the facility to sign up to a DBS Update Service which costs £13 per year (i.e. total of £33 for the three years as opposed to £44). This service means Officers can check the drivers DBS Certificate on-line in the future without the driver having to complete a new check and we would encourage all drivers to sign up to this new service if possible. The £6.00 administration fee is a one off cost paid at the beginning.

5. Driver Vehicle Licensing Agency (DVLA) Check Improvements

5.1 Current Process

Previously, the Council relied on the driver providing the paper counterpart part of their driving licence to view any driving convictions. However, in 2015 the DVLA removed the counterpart of the licence. Since then, the Council has relied on an on-line check through the DVLA Website to check licences for convictions. This has worked extremely well with no cost to the Applicant.

5.2. Proposed Process

The new process will be outlined in the Hackney Carriage and Private Hire Licensing Policy.

6. Driver/Vehicle Inspection Improvements

6.1 Current Process

Currently as part of a new vehicle application, the vehicle is inspected by a Licensing Officer to check for cosmetic appearance and general condition of the vehicle.

6.2 Proposed Process

6.2.1 The new approach to vehicle inspections is a risk based approach which puts the onus on the owner of the vehicle to keep their vehicle maintained in a good state of repair. The application form has been amended so that the driver shows his agreement to this responsibility.

6.2.2 A risk based approach would mean that any new inspection would be at the discretion of the Licensing Officer. The vehicle would undergo an initial inspection but after that, further inspections would be intelligence-led or via planned operations.

6.2.3 This risk based approach is being adopted in many types of regulatory services such as Food Safety, Health and Safety, and by West Oxfordshire District Council. The new process will reduce the regulatory burden on businesses and allow Officers to focus on non-compliant businesses and high risk activity. This approach has worked well at West Oxfordshire District Council, with no additional concerns being raised or complaints received since it was introduced in 2014. There will be a requirement that, on issue/renewal of a vehicle licence, a current MOT certificate is submitted to the authority which is no more than one month old.

7. Measured Mile and Calibration Certificate

7.1 Current Process

Currently, an Officer inspects the taxi meter, which is fitted to each vehicle, by accompanying the licence holder on a 'measured mile' exercise. This is to validate the accuracy of the meter and that it has been calibrated correctly.

7.2 Proposed Process

To ensure that the meter has been calibrated correctly, the licence holder will be requested to produce a calibration certificate. A risk-based approach would mean that the Council could undertake a 'measured mile' exercise if it believes that the meter has not been calibrated correctly and/or it has been tampered with. Other licensing authorities have adopted the process.

8. Child Sexual Exploitation Training Consultation

8.1 Nationally, there has been a series of widely-reported cases of child sexual exploitation in various towns and cities across the country, including Rotherham, Rochdale and Oxford. Local Adult Safeguarding Boards have identified that licensed drivers need to increase their awareness of safeguarding issues.

8.2 To this end, the Gloucestershire Licensing Officers Group (GLOG), of which the Council is a member, has started discussions about the possibility of introducing mandatory child sexual exploitation awareness training for licenced taxi drivers, which has been done in other parts of the country.

8.3 In order to understand the thoughts of the licensed trade regarding this potential change, the proposal is to undertake consultation with the trade over the summer. This would be with a view to submitting a report further report to a future Meeting of this Committee in the autumn outlining the consultation responses and suggesting recommendations.

9. Alternative Options

9.1 The Committee could choose to not to agree the removal of the vehicle inspection and calibration certificate conditions. The purpose of the recommendation is to reduce the regulatory burden and to provide a more risk-based approach.

9.2 The Committee could choose not to consult with the licensing trade on the introduction of child sexual exploitation awareness training. Given the evidence in other areas outlined in the report, Officers believe that the best way forward is to undertake consultation immediately and for the Committee to consider the findings and recommendations on the best way forward.

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