

CITY OF PLYMOUTH

Subject: Request for Delegated Authority to Grant Short Term Driver Licences to Complete Training Qualification

Committee Licensing Committee (Hackney Carriage)

Date: 3 December 2009

Cabinet Member: Councillor Brookshaw

CMT Member: Director for Community Services

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Ref: PPS/LIC/DH

Part: I

Executive Summary:

The Hackney Carriage and Private Hire Vehicle Licensing Policy was approved by the City Council on the 28 July 2008 and was effective from the 1 November 2008.

The policy introduced a number of significant changes including a requirement that all new drivers are required to pass a Level 2 VRQ qualification (or equivalent) within 12 months of the issue of their probationary licence.

Where a driver cannot complete the qualification within the 12 months Officers are seeking interim permission, having regard to the individual circumstances to renew, a driver licence for the short period of time to enable the driver to satisfactorily complete the practical part of the training course.

Officers are preparing a scheme of delegation which has yet to be presented to Members of the Committee that will include further detailed reference to this matter and until such time as that document has been approved Officers are seeking delegated authority to grant licences in the circumstances outlined within the report.

Corporate Plan 2009-2012:

This report links to the delivery of the corporate priorities defined in the Corporate Improvement Plan. In particular:

Improving Accessibility (Transport)

**Implications for Medium Term Financial Plan and Resource Implications:
Including finance, human, IT and land**

Not applicable.

Other Implications: eg. Section 17 of the Crime Disorder Act 1998 - Community Safety, Health and Safety, Risk Management, Equalities Impact Assessment, etc.

Members should be aware that Section 17 of the Crime Disorder Act 1998 put a statutory duty on every Local Authority to exercise its various functions with due regard to the need to do all that it reasonably can do to prevent crime and disorder in its area.

Recommendations and Reasons for recommended action:

That Members of the Licensing Committee consider this report and make the following resolution,

- a. To delegate authority to Licensing Officers, in consultation with Chair, to renew Private Hire and Hackney Carriage Driver Licences for a reasonable period of time that will allow the individual to specifically complete a 'transporting passengers by taxi and private hire' training qualification that satisfies the requirements of the Hackney Carriage and Private Hire Vehicle Licensing Policy.
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Alternative options considered and reasons for recommended action

None.

Background papers:

Hackney Carriage and Private Hire Taxi Policy

Sign off:

Head of Fin		Head of Leg	AG/68 60/201 109	Head of HR		Head of AM		Head of IT		Head of Strat. Procur.	
Originating SMT Member											

Background

1. The Hackney Carriage and Private Hire Vehicle Licensing Policy was approved by the City Council on the 28 July 2008 and became effective from the 1 November 2008.
2. The policy introduced a number of significant policy changes, including the requirement for all new drivers to successfully complete a Level 2 VRQ (Vocational Related Qualification) qualification (or equivalent) within 12 months of the issue of their probationary licence.
3. Members should be aware that the Licensing policy states that it remains the responsibility of the driver to notify the Council at the earliest opportunity, if they consider that they will not be able to successfully complete the qualification within the 12 month probationary period.
4. Officers received a request from a driver requesting the renewal of their driver licence to enable them to successfully complete the practical part of the training as the existing probationary licence had expired. Having regard to the specific circumstances relating to this particular case, Officers in consultation with the Chair of Licensing took the decision to renew the driver licence for a period of one month to enable the driver to successfully complete the qualification. The driver was invoiced for a full 12 month licence and on submission of a valid qualification certificate will then have the licence renewed for the remaining 11 months.
5. In considering the options that are set out in this report members should have regard to the following points;
 - Since the introduction of the VRQ training qualification requirement the preferred alternative for many drivers has been the NVQ equivalent qualification that includes a practical element that involves the examiner observing the driver whilst working.
 - NVQ courses facilitated by Plymouth College have been in demand throughout this year as the fees have been heavily subsidised. As a result many existing drivers have taken the opportunity to undertake the course which was not envisaged when the policy was adopted.
 - This demand has created a waiting list.
 - Due to the influences of the economic downturn the funding stream was withdrawn at short notice and drivers were confronted with the full costs that are currently in the region of £500. I understand that other funding streams have now been put in place that has eased the situation in the short term.
 - Given the particular circumstances which have arisen since the introduction of the new policy in this regard there is a potential for the Licensing Authority to be considered as intransigent and inflexible in not considering each case on its own merits
 - Statistics covering 1 November 2009 until 1 December 2009 will be presented at Licensing Committee showing the number of probationary drivers who have renewed their licences having completed a relevant qualification and also provision figures for those who have not renewed.

6. Where a driver has made no progress towards obtaining a qualification certificate during the 12 month probationary period a renewal licence will not be granted and the driver advised to submit a new application that would then be considered by the Committee.
7. Officers are preparing a written Scheme of Delegation which has yet to be presented to and agreed by the Licensing Committee. This report will seek authority to allow officers to undertake many of the functions currently delegated to Committee that are administrative and are not contentious grant. Until such time as the document has been considered and approved by Members, Officers are seeking delegated authority to grant renewal driver licences, in consultation with the Chair, for a limited time consistent to be able to complete a relevant training qualification.
8. Members are requested to consider the following:
 - a. To delegate authority to Licensing Officers, in consultation with Chair, to renew Private Hire and Hackney Carriage Driver Licences for a reasonable period of time that will allow the individual to specifically complete a 'transporting passengers by taxi and private hire' training qualification that satisfies the requirements of the Hackney Carriage and Private Hire Vehicle Licensing Policy.
9. Members are asked to consider the content of this report, with a view to ensuring that the renewal of driver licences are dealt with expeditiously for the benefit of both applicant and the Council having regard to the Licensing Policy.