

<b>14 February 2018</b>		<b>ITEM: 5</b>
<b>Licensing Committee</b>		
<b>Operator Supported Private Hire Driver Application</b>		
<b>Wards and communities affected:</b> All	<b>Key Decision:</b> Key	
<b>Report of:</b> Paul Adams, Principal Licensing Officer		
<b>Accountable Assistant Director:</b> Andy Millard, Assistant Director of Planning, Transportation and Public Protection		
<b>Accountable Director:</b> Steve Cox, Corporate Director of Place		
<b>This report is:</b> Public		

## **Executive Summary**

This reports considers a supported application scheme for new private hire drivers, by Thurrock Licensed Private Hire Operators, which allows for supported (mentored) on the job training for new applicants.

### **1. Recommendation(s)**

**1.1 To recommend to Full Council the amendment of the Private Hire Driver pre application requirements, to allow Operator Supported applications as per the scheme proposed in this report.**

### **2. Introduction and Background**

2.1 Private Hire Drivers Licences are granted under Section 51 Local Government (Miscellaneous Provisions) Act 1976. This sections provides that a district council upon application shall grant a licence to drive private hire vehicles, provided that district council is satisfied that the applicant is:

- a fit and proper person to hold the applicant is a fit and proper person to hold a drivers licence;
- not disqualified by reason of the applicants immigration status from driving a private hire vehicle;
- has for at least 12 months been authorised to drive a motor car before the date of application.

2.2 Thurrock Council has set out its requirements for applicants to demonstrate their suitability as fit and proper persons to hold a private hire drivers licence. Thurrock Council requires the applicant:

- be aged 21 or over
- have held a UK or EU licence for at least 3 years
- have no relevant convictions or have been determined by the Licensing Committee to be a fit and proper person
- be medically fit
- pass a knowledge test including places of interest in Thurrock
- undertake the Councils Taxi CSE/Safeguarding training
- pass a Passenger Assistant Training Scheme (PATS) course

### **3. Issues, Options and Analysis of Options**

- 3.1 A request has been received via the Private Hire Operator Trade Meeting with the Licensing Team to consider a way that Thurrock Licensed Private Hire Operators could support drivers in meeting the suitability criteria, allowing Operators to access drivers faster to meet the needs of their business, whilst ensuring that the protection of public is maintained.
- 3.2 Their reasoning for the request is that Private Hire Operators are finding it increasingly difficult to recruit a sufficient number of new drivers, particularly with added employment competition from the significant regeneration of the borough, which is creating more jobs, less are looking to enter the taxi trade. Particularly with the length time it takes to meet the pre - application criteria as a taxi driver, undertaking study to pass the knowledge test, and undertake the PATS training. Potential employees are often choosing different employment routes, as they are able to start working sooner. Operators are unable to tender out on local work to Operators from outside the Borough
- 3.3 Operators are requesting that they are allowed a limited number of drivers to be mentored by them through the training, whilst in employment as a Private Hire Driver, rather than before they can be employed.
- 3.4 To enable Operators to mentor new drivers, it is proposed that the scheme is only open to drivers that are employed by Operators of a sufficient size and capacity to provide daily support, and can meet additional enhanced requirements that are above the standards required by their Operators Licence. These would be:
- To have a written Safeguarding Policy that is agreed with the Licensing Department.
  - To have a suitable company uniform/dress code that ensures drivers are easily recognisable which is agreed with the licensing department.
  - To ensure that all Passenger Assistants used by the Operator have undertaken the councils Taxi CSE awareness Training within 3 months of employment.
  - That at least 5% of the all vehicles, or 1 vehicle (whichever is the greater) that are operated are wheelchair accessible, and those

vehicles must be available at all times for use during hours operated by the company, unless there is good reason not to do so.

- The company must not have received any written warnings or enforcement action in relation to the conduct of itself as an operator or of its drivers or vehicles.

3.5 Operators that comply with the enhanced standards are allowed to mentor drivers up to 10% of the maximum vehicles operated under their Operators Licence. e.g. an operator with a licence to operate up to 30 vehicles can mentor a maximum of 3 probationary drivers at any one time. This scheme would only be accessible for operators operating a minimum of 10 vehicles, to ensure there is sufficient capacity to provide advice and support at all times.

3.6 A mentored driver will on application for a one-year licence need to:

- be aged 21 or over
- have held a UK or EU licence for at least 3 years – DVLA check required.
- have no relevant convictions or have been determined by the Licensing and Committee to be a fit and proper person – including an Enhanced DBS check
- be medically fit – as determined by a Medical assessment to the DVLA group 2 standard.
- have undertaken the Council's CSE eLearning package.

Once the applicant has met the above criteria their licence will be granted for an initial 6-month period.

Within a period of 6 months from the issue of a conditioned licence to:

- pass a knowledge test including places of interest in Thurrock
- undertake the Council's Taxi CSE/Safeguarding training
- pass a PATS course.

Any driver that has not successfully completed the above will not have their licence extended and will not be eligible for the mentoring scheme again. If they meet the above within the remaining 6-month period, the licence will be reinstated for the remainder of the duration of the 1 year.

During the 6-month period the Operator will:

- Provide a suitably experienced licensed driver as a mentor for the driver to assist them with the day to day knowledge of being a driver, including advice and support around the legal and conditional requirements.

- Provide any instruction or training required appropriate to the vehicle that they will be driving and the passenger that they will be carrying.
- Ensure the driver has the means to navigate to their destination via a satnav, PDA or other similar device, ensuring that road traffic legislation is complied with at all times.
- Ensure that the driver has adequate means to contact the operating base during hours of working, so that any advice and support can be given for any problems or issues that the drive may experience during the working day.

#### **4. Reasons for Recommendation**

4.1 Changes to Policy must be approved by Full Council.

#### **5. Consultation (including Overview and Scrutiny, if applicable)**

5.1 The details of the scheme have been consulted with participants of the Private Hire Operators Trade meeting.

#### **6. Impact on corporate policies, priorities, performance and community impact**

6.1 None

#### **7. Implications**

##### **7.1 Financial**

Implications verified by: **Laura Last**  
**Management Accountant**

There are no financial implications in relation to this report.

##### **7.2 Legal**

Implications verified by: **Simon Scrowther**  
**Principal Solicitor - Litigation & Employment**

Under Section 51 Local Government (Miscellaneous Provisions) Act 1976, each Local Authority is responsible for granting or refusing applications for Private Hire Drivers Licences, after considering if they are a fit and proper person to hold such a licence. Each Local Authority can set its own criteria for what it considers a fit and proper person to hold such a licence is. Section 51 (2) Local Government (Miscellaneous Provisions) Act 1976 gives a specific power to impose conditions on a Private Hire Drivers licence, which can be any condition which the local authority considers reasonably necessary.

### 7.3 **Diversity and Equality**

Implications verified by: **Natalie Warren**  
**Community Development and Equalities**  
**Manager**

The inclusion of the requirement for Operators to provide a minimum level of wheel accessible vehicles will increase the availability of this type of transport in the Private Hire Sector.

### 7.4 **Other implications** (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder)

- None

### 8. **Background papers used in preparing the report** (including their location on the Council's website or identification whether any are exempt or protected by copyright):

- None

### 9. **Appendices to the report**

- None

### **Report Author:**

Paul Adams

Principal Licensing Officer