



## **Gambling, Licensing & Regulatory Committee**

8 February 2016

Report from the Assistant Director – Housing and Community Safety

## **Taxi Licensing Policies to be Implemented from 1 April 2016**

### **Summary**

1. This report seeks Members approval on two points:
  - a) Introduction of child sexual exploitation (CSE) training for new driver applicants and existing drivers;
  - b) Implementation date for the introduction of five year licences for private hire operators.

### **Recommendations**

2. That Members approve Option 1 of this report.

Reason: This will allow the Council to introduce CSE training for all licensed drivers and new applicants, and allow the Council to agree a Taxi Licensing Policy prior to the full implementation of the Deregulation Act 2015 in relation to private hire operator licences.

### **Background**

#### **Child Sexual Exploitation Training**

3. Since the publication of the Jay report in 2014 regarding the enquiry into CSE related issues in Rotherham, licensing authorities have considered actions that can be taken to try to prevent such issues arising within their authority areas. One of these actions is the introduction of CSE training for hackney carriage and private hire drivers.
4. Licensing officers have attended a national meeting on this matter organised by the Local Government Association, and spoken to other licensing authorities to establish a best practice approach for implementing and delivering this training. This has also been a topic

discussed as part of the West Yorkshire and York Combined Authority (Combined Authority) Taxi Licensing Group.

5. From the information received the best practice approach to the delivery of CSE training is dependent on each authorities need, there isn't a one model fits all approach. As part of the work with the Combined Authorities it has been agreed that each authority would implement their own approach to this training working with their Safeguarding Children's Boards (SCB).
6. Officers have met with representatives of the Councils SCB and North Yorkshire Police, to discuss the implementation of training in York.
7. Representative of the SCB currently deliver CSE training to licensed drivers who undertake school contract work on behalf of the Council. It was agreed that this training would be adapted and delivered to all drivers currently licensed. The training will initially be delivered by a representative of the SBC and provided for free.
8. It was also agreed that this training should be completed by all new driver applicants, if possible prior to the licence being issued or within six months of the licence being issued. A cost recovery charge maybe payable for this training.
9. Officers are requesting Members approval for the implementation and delivery of CSE training.

### **Private Hire Operator Licences**

10. A report was brought to Members of this committee on the 19 October 2015, this report informed Members of the changes to taxi licensing legislation following the introduction of Sections 10 and 11 of the Deregulation Act 2015 (the 2015 Act), and asked Members to agree a staged approach to the implementation of the Act.
11. Members agreed to a staged approach to the implementation of the 2015 Act. It was agreed that Section 10, which relates to the duration of private hire and hackney carriage drivers licences (three years) and private hire operators licences (five years), would be implemented from the 1 April 2016, to enable officers to set appropriate fees and policies in relation to these changes.

12. Proposed fees have been set and will be included within the 2016/17 budget report taken to Full Council in February 2016.
13. Due to the changes in legislation and the work undertaken by the Combined Authority Group, a review of policies relating to taxi licensing has taken place. Due to this review a formal consultation on the proposed Taxi Licensing Policy has to be undertaken. Officers are therefore requesting that the implementation of Section 10 of the 2015 Act, in relation to the grant of new and renewal of existing private hire operator licences, takes place once the Taxi Licensing Policy is agreed by this committee and an implementation date is set.

### **Consultation**

14. A formal consultation has not been undertaken in relation to this report. Officers have discussed the proposals with representatives of the hackney carriage and private hire associations, they welcome the introduction of CSE training and the Taxi Licensing Policy.
15. A formal consultation will take place, with the licensed trade and relevant bodies, in relation to the proposed Taxi Licensing Policy and the proposed fees.

### **Options**

16. Option 1 – Agree that CSE will be implemented from the 1 April 2016, and that the delivery of training for existing drivers will be in line with the timeframe detailed at paragraph 18, and that it will be a requirement that all new driver applicant complete the training as part of the application process or within six months of the licence being granted. Agree that the full implementation of the Deregulation Act 2015 will take place following the approval by this committee of the Taxi Licensing Policy.
17. Option 2 – Agree an alternative approach to the delivery of CSE training and timeframe. Agree an alternative full implementation date of the Deregulation Act 2015.

### **Analysis**

18. The Council currently licences 298 hackney carriage and 582 private hire drivers. Through their work they regularly transport young and

vulnerable people. CSE training will give these drivers the tools they need to identify potential issues and reporting mechanisms.

19. The proposed timeframe for the delivery of CSE training is as follows:

- April and May 2016 for existing hackney carriage drivers
- August, September and October 2016 for existing private hire drivers

This timeframe will enable training to take place prior to the renewal of licences.

New applicants will be able to attend one of the training session detailed above up to the end of October. A timetable for the delivery of training after this date will be agreed with Child Safeguarding.

20. It will be a requirement of the Taxi Licensing Policy that existing drivers will be required to attend this training prior to licence renewals, and that new applicants will complete this training prior to the grant of the licence or within six months of the licence being granted.

21. The Council currently licences 61 private hire operators. The large operator can have 70+ drivers and vehicles working for them. As the 2015 Act relates to the issuing of operator licences for a period of five years more robust application procedures and conditions are proposed within the Taxi Licensing Policy.

22. The implementation of Section 10 prior to the approval of the Taxi Licensing Policy would lead to five year private hire operators licences being issued without robust conditions.

### **Council Priorities**

23. The provision of hackney carriage and private hire licensing supports the council plan of a prosperous city for all, where local businesses can thrive.

### **Implications**

24. The direct implications arising from this report are:

(a) **Financial** - There are no financial implications.

(b) **Human Resources (HR)** - There are no HR implications.

- (c) **Equalities** – There are no equalities implications.
- (d) **Legal** - There are no legal implications.
- (e) **Crime and Disorder** - There are no crime and disorder implications.
- (f) **Information Technology (IT)** - There are no IT implications.
- (g) **Property** - There are no property implications.
- (h) **Other** - There are no other implications.

### Risk Management

25. There are no known risks associated with this report.

### Contact Details

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		<b>Report Approved</b>	√	<b>Date</b> 14/01/15
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<b>Wards Affected:</b>			<b>All</b>	√
<b>For further information please contact the author of the report</b>				

### Background papers

Deregulation Act 2015

**Annexes** – None