

Licensing & Regulatory Committee

20 October 2015

Name of Cabinet Member:

Not applicable

Director Approving Submission of the report:

Executive Director of Place

Ward(s) affected:

Not applicable

Title:

Hackney Carriage and Private Hire Licensing Fee Review 2015 – Cost of Mandatory Child Sexual Exploitation (CSE) Training

Is this a key decision?

No

Executive Summary:

On the 4 August 2015 the Cabinet Member for Public Services considered a report on driver training for Child Sexual Exploitation, and resolved that:

- Approval be given that from 1 September 2015 it will be the Council's policy that a hackney carriage or private hire driver's licence will not be renewed/re-granted at such time as the licence next falls for renewal/regrant unless the driver can confirm that they have undertaken a CSE training course provided by the Coventry City Council and that the Council will look towards making mandatory three yearly training compulsory in the future.
- The transitional arrangements for drivers' licences falling for renewal/re-grant between 1 September 2015 and 31 December 2015 whereby their applications may be granted if they have booked to attend a course within the following three months be approved (a failure to attend a pre-booked course within three months will be dealt with by a review of the licence).

This report seeks permission from Licensing and Regulatory Committee to increase the training fees levied to recover the costs of the above changes to licensing policy.

Recommendations:

Licensing & Regulatory Committee are recommended to:

1. Approve a fee increase of £20 on the Driver Training Course for new applicants. From the 1 January 2016, increasing the cost of a Driver Training Course from £80 to £100.
2. Approve a new fee of £20 for existing drivers, who have not previously undertaken the free CSE training sessions, effective from the 1 January 2016.

List of Appendices included:

None

Other useful background papers:

Report to the Cabinet Member for Public Services 4 August 2015 - Child Sexual Exploitation (CSE) Training for Coventry City Council Licensed Hackney Carriage and Private Hire Drivers

Other Useful documents

None

Has it been or will it be considered by Scrutiny?

No

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

No

Will this report go to Council?

No

Report title:

Hackney Carriage and Private Hire Licensing Fee Review 2015 – Cost of Mandatory Child Sexual Exploitation (CSE) Training

1. Purpose of Report

This report seeks approval for the adjustment and re-structuring of some of the fees for hackney carriage and private hire licensing to recover the costs of providing mandatory CSE training.

2. Information/Background

- 2.1 The Local Government (Miscellaneous Provisions) Act 1976 provides that the City Council may charge as fees the reasonable cost of administering and enforcing the hackney carriage and private hire licensing function. The fees charged by the Taxi Licensing Office are intended to enable the service to operate on a self-financing basis.
- 2.2 Licensing and Regulatory Committee at their meeting of 25 August 2015 approved a revision of the taxi licensing fee structure to take account of the Deregulation Act 2015 and in particular the need for local authorities to issue three yearly licences as opposed to annual ones.
- 2.3 In addition to responding to the Deregulation Act 2015 officers have also considered the outcomes of the Rotherham report into Child Sexual Exploitation and in particular the City Council's current requirements for training / awareness raising on CSE. This has led to a voluntary training programme for taxi drivers on CSE, delivered free of charge by colleagues in People.
- 2.4 This voluntary training programme has so far trained 940 of our 1240 licensed hackney carriage and private hire drivers. On the basis of this success the Cabinet Member for Public Services resolved that such training should be mandatory at her meeting on the 4 August 2015.
- 2.5 In order for the City Council to recover the cost of providing this training a review of driver training fees is required.

3. Proposal and Other Option(s) to be Considered

- 3.1 It is proposed to:
 - Increase the driver training course fees from £80 - £100 to recover the cost of providing CSE training to all new applicants.
 - Introduce a £20 fee for all delegates attending a renewal training session on a three yearly basis.

The option of maintaining the training at zero cost to drivers was considered, but discounted on the basis that the City Council does not have the available resources to cover this, and that a mechanism exists to recover the costs from drivers.

4. Financial implications

The proposed cost of CSE Training is to enable the continued operation of the Taxi Licensing Office on a self-financing basis.

5. Legal implications

- 5.1 Under the Local Government (Miscellaneous Provisions) Act 1976, the City Council can only charge a level of fees which is sufficient to cover the reasonable costs of administering and enforcing the hackney carriage and private hire licensing function.
- 5.2 The 1976 Act lays down a statutory procedure for varying fees for Hackney Carriage Proprietors (i.e. vehicle) licences, Private Hire vehicle licences and Private Hire Operators' licences. This procedure involves giving public notice of the proposed changes and a 28 day objection period. If objections are made, these must be considered by the Committee before the proposed fees, relating to those types of licences, can be implemented.

- 5.3 The above statutory procedure does not apply to varying fees for Hackney Carriage and Private Hire drivers' licences. However, it is considered simpler and fairer if the whole proposed fee table including drivers' licence fees, is advertised and the trade or public are given an opportunity to object to any item on the proposed fee table.
- 5.4 The issue of Hackney Carriage/Private Hire licences and the amount of any charge for their issue is excluded from being an 'executive function' by Regulation 2(6) and Schedule 1 of the Local Authorities (Functions and Responsibilities)(England) Regulations 2000.

6. Timescale

- 6.1 If this report is approved, the proposed changes in fees will be advertised in the Coventry Telegraph on 29 October 2015. Any objections received can be considered at your meeting on the 8 December 2015. If no objections are received, the proposed fees will come into force on the 1 January 2016.

7. Other implications

None

7.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint or Coventry Sustainable Community Strategy

Ensuring that the public are safe by assessing drivers are fit and proper.

7.2 How is risk being managed?

Ensuring that established procedures are followed.

7.3 What is the impact on the organisation?

None

7.4 Equalities / EIA

Not applicable

7.5 Implications for (or impact on) the environment

None

7.6 Implications for partner organisations?

None

7.7 Human Rights Act Implications

None

Report author(s):**Name and job title:**

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Place Directorate

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