

**Manchester City Council
Report for Information and Resolution**

Report to: Licensing and Appeals Committee – 26 March 2018
Subject: Taxi Licensing Update on service improvements.
Report of: Head of Planning Building Control and Licensing

Summary

The taxi licensing service has and continues to look at ways to streamline processes and procedures to reduce costs and make it easier and quicker for individuals to make applications related to private hire and hackney carriage licences. This report updates the Committee on some of the changes that have been made to the processing and procedures within the taxi licensing service, whilst still ensuring those licensed in Manchester maintain the very clear standards set to improve quality.

In addition the report asks the Committee to consider the implementation of some recommendations pending further service review in those individual areas.

Recommendations – The Committee determine

1. Pending a full review of the way driver training is delivered in the future (as outlined in section 3), that for driver applications processed on or after 1 April 2018:
Applicants for hackney carriage / private hire driver licences.
 - a. will be offered an online Skills Assessment.
 - b. will no longer be required to attend a 'coaching session' and this support will be provided via materials online
2. Agree the Implementation of an Online DBS application solution for DBS applications processed on or after 1 April 2018.
3. Agree that following the processing of a hackney carriage or private hire driver application to the stage of offering a skills assessment/knowledge test that applicants will be advised that following a period of 6 months, where no contact has been made, an application will be withdrawn with any appropriate refund being made.
4. Agree the implementation of the annual vehicle inspection test for brand new hackney carriage vehicles be carried out 6 months after the commencement date of the licence. This would be subject to the following:
 - This will refer only to replacement vehicles on a hackney carriage vehicle licence. Where the replacement vehicle purchased is brand new (with delivery mileage only).

- Vehicle proprietors must, as an addition to the current application process, complete sign and submit a form declaring that the vehicle conforms completely to the current Manchester Vehicle Policy and that if at the 6 month test this is not found to be so, the vehicle would be liable to suspension.

Manchester Strategy Outcomes	Summary of the contribution to the strategy
A thriving and sustainable City: supporting a diverse and distinctive economy that creates jobs and opportunities	The Taxi Licensing Service aims to continuously evolve and improve to support Manchester residents who wish to work in these industries. In order to continue to create jobs and opportunities, the Council must also now seek to build an effective business model that will enable the Council to compete with other Authorities offering the same service.
A highly skilled city: world class and home grown talent sustaining the city's economic success	Not applicable to the content of this report
A progressive and equitable city: making a positive contribution by unlocking the potential of our communities	The current Hackney Carriage Vehicle Policy is one of the most equitable in the country, supporting consistency of full accessibility within the entire fleet, ensuring that no users have to make special arrangements.
A liveable and low carbon city: a destination of choice to live, visit and work.	The Taxi Licensing Service seeks to support those who wish to work within the Taxi and Private Hire industries to do so in partnership and pride with Manchester, where the corresponding policies and standards are high in order to protect our communities and visitors.
A connected city: world class infrastructure and connectivity to drive growth	The Taxi Licensing Service aims to utilise all possible technological opportunities to make processes quicker, easier and more accessible to customers.

Full details are in the body of the report, along with any implications for:

- Equal Opportunities Policy
 - Risk Management
 - Legal Considerations
-

Financial Consequences – Revenue -

None

Financial Consequences – Capital -

None

Contact Officers:

Name: Ann Marku
Position: Principal Licensing Officer (Taxis)
E-mail: a.marku@manchester.gov.uk

Name: Danielle Doyle
Position: Licensing Unit Manager
E-mail: d.doyle@manchester.gov.uk

Background documents

Current MCC Hackney Carriage Vehicle Policy
CBS on-line DBS Application
Immigration Act 2016

1.0 Introduction

- 1.1 Taxi licensing, at peak times, processes approximately 11,000 applications in a year. It is important that the Council offers a good customer service that is reliable, quick and cost effective. This is especially important due to the changing nature of the wider industry, with drivers and proprietors increasingly choosing from a wider 'market' of local authorities with which to obtain their licences. Maintaining the trade in the City is a key objective if the high standards set for both driver and vehicle are to be delivered.
- 1.2 The licensing unit has made and continues to make significant changes to the way in which applications are processed. This report provides information of changes that have already been made to service delivery and some proposed changes for implementation pending further service review.

2.0 Online solutions

- 2.1 As the Committee will be aware the majority of services now provide online application facilities. Taxi licensing is no exception. We currently have an online form available for our Driver Renewal Applications, and a number of forms that can be downloaded from our website, as well as moving all our payments online last year. However, there have been challenges with ICT related issues from putting additional services online. A new bespoke computer system, Uniform, was purchased and commenced in December 2016. This system is allowing processes to be completed much quicker, whilst also ensuring a higher quality of data. The system provider (Idox) has an upgrade available that will enable Uniform to be fully integrated with an online application process for all our licence applications. This will allow the details of an application to be transferred electronically into the Uniform system without the need for an officer to input this data.
- 2.2 It is hoped and anticipated that this system upgrade will be implemented in Quarter 2 of 2018/19, further updates will be provided to the trade and Committee.
- 2.3 We will continue to work with the Uniform system and Idox to find ways to reduce costs and improve customer expectations. At present nearly all forms associated with taxi licensing are available as downloads, which has had a significant reduction in printing and postage. On-line driver renewal forms are available 24/7, which suits the taxi trade, a lot whom, work 'track' shifts. Increasingly we are sending communications automatically via emails generated within the system and linked directly to an application.
- 2.4 In order to fully realise these efficiencies in terms of cost, the Council require trade customers to keep the Unit fully up to date with their email details, and to read correspondence carefully before calling the contact centre or emailing the Unit directly as responding to queries is time consuming and costly, and a significant portion of the time, the information requested has already been sent or is available via the website.

3.0 Driver Training

3.1 As already noted the Council is committed to maintaining the high standards determined by this Committee in relation to licensed hackney carriage and private hire drivers. A priority of the service is to undertake a full review of how we deliver the driver training in the future.

3.2 Pending the outcome of the full review it is appropriate to make changes in the following areas with a more immediate effect:

3.3 Applicants skills test

The Unit have listened to feedback from the trade and applicants and acknowledges that the current delivery of the skills test required revision, having not been reviewed for a number of years. It is also evident from complaints by the Compliance team, that driver's communication and interaction with passengers can fall below the standard that is expected of licensed drivers. As such, a revised online solution has been developed that will continue to be delivered by the taxi test team at our office at Hammerstone Road, using the bank of computers available at this facility. The revised test will continue to test an individual's numeracy and literacy skills but will have a wider remit to include questions that test comprehension and knowledge of the Highway Code.

The revised online tests will consist of a number of multiple choice questions that are randomly selected from a bank of questions and will include:

- Numeracy questions
- Identification of highway code signs and questions on general highway code
- General comprehension questions

Sample questions:

1. If the standard fare is £9.50, what is the fare at time and a half?
2. When you are moving off from behind a parked car, which 3 things should you do?
3. You see the following notice in the office: "If you wish to get your car washed please use one of the following companies. Use "Super Clean" or "Quick Wash" in the week days. For interior cleaning use "Auto Vac". At weekends use "Dave's Car Wash". It is Saturday morning, where would you take your car for a wash?"

3.4 Officers are recommending that pending the full review of the driver training in its entirety, that the revised online skills assessment is commenced for all driver applications processed on or after 1 April 2018.

3.5 Coaching Sessions

Currently driver applicants are invited to Hammerstone Road for a 'Coaching Session' prior to sitting the Knowledge test. In this session an officer advises on the use of an A-Z and the best approach to take in researching and revising

for their pending hackney carriage or private hire driver knowledge test. The licensing unit has already made information available to new applicants on the Councils web site. The dedicated page provides the following downloads:

- Driver handbook
- Revision guides
- Guide to convictions
- DBS (Disclosure Barring Service)
- Medical
- Byelaws and guidance (Hackney carriage drivers)
- Driver conditions and guidance

3.6 The online documents provide information necessary that an applicant needs to know to pass their respective driver knowledge test. The presentations currently provided within the coaching session could also be provided electronically. It is planned that the time currently spent by officers on the coaching sessions would be better used to facilitate additional knowledge tests. This will benefit applicants by reducing the cost and being able to access a knowledge test quicker.

3.7 Officers are recommending that driver applicants, whose applications are processed on or after 1 April 2018 will not be required to attend a coaching session. This will be reviewed to ensure that the pass/failure rate is not adversely affected by this change in process and if necessary, further recommendations will be made to the Committee accordingly.

3.8 Following the completion of the tram network in the City we have now been able to commission the updating of the driver routes that form part of the driver knowledge tests. This is quite an undertaking and Manchester College are due to complete this work by Quarter 2 2018/19.

3.9 Future considerations for the Driver Test review are:

- Outsourcing all the functions of the test to an external provider
- Requiring a recognised qualification in English and numeracy (i.e. NVQ)
- Requiring a recognised qualification for taxi driver (ie NVQ, Btec)
- The possibility of introducing a Driver Standards Test
- Retrospective safeguarding training for currently licensed drivers
- Provision for the Sub-Committee to require drivers to re-sit tests

4.0 Driver Licences General

4.1 Safeguarding is and remains a priority for the Council in ensuring the safety of vulnerable adults, children and young persons. The Committee can be assured that safeguarding will remain at the forefront in any future review of the driver test.

4.2 As part of the Council's commitment to safeguarding the public it is proposed that in the near future a second 'driver display badge' will be issued. The current legislation advises that a driver must wear his/her badge. If worn around the neck it is not easily seen by passengers in the hackney carriage /private hire vehicle, especially where the driver wears a coat or jacket.

4.2.1 A second 'driver display badge' will be issued and this will be displayed (as required by the Council) in the vehicle so as to be seen by passengers. The introduction of this second 'display badge' will:

- allow drivers to be more easily identified, which will assist both the public and Compliance officers.

5.1 Applications.

Currently an individual can make a private hire/hackney carriage driver application and there is no limit on the time it may take them pass the required driver knowledge test. It is noted that there are a number of applicants who make an application sit one knowledge test and only make further contact with the licensing unit after several months or more (sometimes a year).

5.2 It is essential that applicants keep in regular contact with the Licensing Unit, during the application process. Once an application has been processed to the 'Skills assessment, knowledge test stage an applicant should be informed that following a period of 6 months, where no contact has been made, an application will be withdrawn with any appropriate refund being made.

6.0 DBS – Moving to an On-line Application system.

6.1 The Council has since October 2015 required applicants to have signed into the DBS online update service, which allows taxi licensing to do an annual online check to ensure the status of the DBS Certificate remains clear within the term of a 3 year licence.

6.2 In the first instance all applicants must attend a face to face appointment that verifies their identity against the documentation as required by the Disclosure Barring Service. Recently this has also included checking an individual's 'right to work' in the UK. The taxi licensing unit already undertakes this check as required by the Immigration Act 2016 (implemented in December 2016).

6.3 Whilst conducting the online checks over the past 18 months, it has highlighted that a significant number of our existing drivers have failed to follow procedure and so the online check has not been possible. This has meant that a significant number of DBS certificates have had to be updated, which in turn has required additional resource and has been very time consuming. However, Manchester has not (unlike other authorities) wanted to rely on the integrity of drivers informing the Unit about an arrest, investigation, caution or conviction they may have received since their licence was issued/renewed.

- 6.4 The completing and checking of a DBS application form is both time consuming and labour intensive. The procedure is outlined below:
- Form is completed by the applicant
 - Completion of form is checked by technical support officer
 - Documentation is checked (as required by DBS)
 - Completed form is signed by technical support officer
 - Completed DBS form is countersigned by DBS signatory officer
 - Form is sent off to DBS.
 - DBS certificate is returned by applicant and entered into the Uniform System and either returned to applicant or retained if there are any conviction policy issues.
- 6.5 It is proposed that a reduction in the above process will be achieved by use of bulk electronic DBS application process. AGMA has already commissioned the use of a company called CBS who offer an online solution to the submission and checking of DBS applications and Certificates. The benefits of moving to an online DBS application process are:-
- Forms are easily completed by applicants – the online form cuts down on errors and can be done at a time that suits the applicant
 - The electronic form is signed checked against the applicants ID documents, is off by a technical assistant and submitted to CBS electronically.
 - CBS check the forms, which are then countersigned by CBS signatory officers and submitted to DBS
 - Results come back electronically and are either clear or indicative that there has been a change in the status of the DBS certificate – any change prompts the taxi licensing to seek a further DBS.
 - CBS conduct a check on the driver's DBS every quarter
 - There would be a reduction in post (no posting application forms to the DBS Agency or certificates (clear) to and from the Unit)
 - There would be a reduction in the risk of personal/sensitive data going missing or being posted to the wrong addressee
 - CBS services have already been through the tender process via AGMA
- 6.6 Moving to the online CBS service will reduce the waiting time for DBS results. These are generally returned within 10 working days. It will also reduce the waiting time for applicants to send their DBS certificate back to the licensing unit once they have been received as the licensing unit will receive this information electronically.
- 6.7 The CBS solution will also enable a more streamlined application process. As part of the process the licensing unit has agreed that it will be mandatory for applicants to at the same time as making a DBS application to have to sign into the DBS online checking service. This will eradicate the current problem of individuals failing to sign into the DBS online checking and having to complete further full DBS applications (this would also remove the need for a further face to face appointment to check documents).

6.8 The Licensing unit intends to move to this online checking service for all applications processed on or after 1 April 2018.

7.0 Hackney Carriage Vehicle – testing

7.1 The current hackney carriage vehicle policy states at 3.3 (a):

Brand-new vehicles (delivery mileage only) will be subject to one test in their first year, after which vehicles will be subject to two inspections per year to take effect following renewal of the licence.

7.2 Currently our process is to require this vehicle inspection test as soon as the application is submitted and processed, and prior to the granting of the licence. Whilst we aim to process replacement (new) vehicle applications within 10 working days, at busy times this can provide for a delay of around 4 weeks between an application being submitted and the vehicle being tested at the Garage facility.

7.3 The trade has previously asked for this test for brand new vehicles to be abolished and that they should only be tested on renewal. Recently the trade has advised they would be happy if the Council would consider this test being undertaken at 6 months.

7.4 As the Committee are aware the remit of the Council in licensing hackney carriage vehicles is one of safety. After consultation, as to any perceived risk, with the Lawton street shared service it is proposed that the current MCC policy relating to the testing of vehicles is changed as follows:-

Applications for replacement vehicles on a hackney carriage vehicle licence with brand new vehicle (with delivery mileage only) received on or after 1 April 2018 will still be subject to 1 test in the first year (as per the current MCC policy) but that this will take place 6 months after the commencement date of the licence.

7.5 This would be subject to the following:

- This will refer only to replacement vehicles on a hackney carriage vehicle licence. Where the replacement vehicle purchased is brand new (with delivery mileage only).
- Vehicle proprietors must, as an addition to the current application process, complete sign and submit a form declaring that the vehicle conforms completely with the current Manchester Vehicle Policy and that if at the 6 month test this is not found to be so the vehicle would be liable to suspension.
- The test (at 6 months) is booked at the time the licence is granted.

7.6 The results of any 6 month tests, associated with brand new vehicles, will be reviewed in April 2019 to determine whether, it will be possible, in future, to consider brand new vehicles not to be the subject of any tests in the first year they are licensed.

7.7 Changes to Purchase of Plates, Private Hire Operator (name) stickers and other consumables.

From 1 April 2018 the following will be available from the Lawton Street Shared Service Centre. (Full details and costs will be provided on the Council web page www.manchester.gov.uk/taxis):

- Operator (Name) Stickers - Operators will now prepay for the number of name stickers they require. This will prevent revenue loss to the Council from numbers of unused stock, where operators go out of business or change their name.
- Front and rear hackney carriage and private hire vehicle plates will be sold (in packs containing all required fixings)
- Private hire vehicle - external identification stickers
- Hackney carriage vehicle - internal notices and fare cards
- Vehicle inspection manuals
-

8. Hackney Carriage Vehicle Policy

8.1 On 23 October 2017 this Committee agreed that a wide ranging consultation should take place in relation to the MCC Conditions of Fitness, which form part of the current hackney carriage vehicle policy.

8.2 The consultation questionnaire has now been completed and is due to go live in March 2018 (an update will be provided at the meeting as to the date). The consultation will be live for 12 weeks. Officers will provide a further report to the Committee following conclusion of the consultation

9. Legal Considerations.

9.1 There is a duty under s 54 of the Local Government Miscellaneous Provisions Act 1976 on the Council to issue drivers badges when a licence is granted under s 51 to a private hire driver.

9.2 Section 54(2) requires the driver to wear the badge in such a position and manner as to be plainly and distinctly visible. Failure to comply with this requirement is an offence.

9.3 Under s 51(2) of the Local Government Miscellaneous provisions Act 1976 "A District Council may attach to the grant of a licence under this section such conditions as they may consider reasonably necessary".

9.4 There is no similar requirement for the Council to issue a badge on the grant of a Hackney carriage driver's licence and there is no requirement under primary legislation for the driver to wear any such badge if it issued. However section 68 of the Town Police Clauses Act 1847 provides that "The Commissioners may from time to time.....make Bye Laws for all or any of the purposes followingdetermining whether such drivers shall wear any and what badges....."

9.5 The current Manchester City Council byelaws include a requirement that if a badge has been provided the driver shall when standing or plying for hire, and when hired wear the badge in such a position and manner as to be plainly visible.

9.6 There is no power under s 68 to make a byelaw in relation to displaying a badge within the vehicle.

10.0 Key Policies and other considerations

10.1 (a) Equal Opportunities

There are no equal opportunities issues arising from this report.

10.2 (b) Risk Management

As with any such decision made by the Council it can be challenged by way of 'Judicial review'.

10.3 (c) Legal Considerations.

There are no additional legal considerations to those already highlighted within this report.

11.0 Conclusion

11.1 The report outlines changes that have been made to the processing of hackney carriage and private hire licenses.

11.2 The report also advises the Committee that the taxi licensing unit is currently revising all its policies and procedures. Whilst this is on-going and will take several months the report highlights some recommendations that require consideration and implementation on or after 1 April 2018.

11.3 These recommendations, which are discussed in the report individually relate to changes in process /procedure for

- driver skills assessments and Coaching sessions
- driver applications - requirement of applicant contact
- Use of an On-line DBS application service
- Change to the testing of a brand new vehicle used as a replacement vehicle for a hackney carriage vehicle licence.

The proposed changes are not about reducing standards required of the trade but are centred on making processes more efficient and effective.

11.4 For ease of reference it is suggested that recommendations will all commence on or after 1 April 2018.