

**Committee:** Licensing & Environmental Health

**Title:** Review of Driver Training Course

**Date:**

Tuesday,  
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## Summary

1.1. This report is for Members to consider a request from the trade to defer the requirement for existing licensed hackney carriage & private hire drivers to undergo the mandatory driver training course upon renewal of their licence.

## Recommendations

2.1. It is recommended that Members consider the contents of this report and determine whether a 6 month deferral for existing licensed hackney carriage & private hire drivers to undergo the mandatory driver training course should be permitted.

## Financial Implications

3.1. A deferral would result in any affected licence holder not having to pay the cost of the driver training course until a later date, thus could be considered as a financial aid with mind to the current circumstances arising from the pandemic.

3.2. While a deferral should not have a long term financial impact upon the Council's training provider, Green Penny Ltd, it would naturally cause a short term deficit.

## Background Papers

4.1. None

## Impact

5.1.

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|----------------------------|--|
| Communication/Consultation | This report has been presented to the Committee following a number of concerns that were raised with Licensing Officers by the taxi and private hire trade |
| Community Safety           | None   |
| Equalities                 | None   |

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|---------------------------------|------|
| Health and Safety               | None |
| Human Rights/Legal Implications | None |
| Sustainability                  | None |
| Ward-specific impacts           | None |
| Workforce/Workplace             | None |

## Situation

6.1. The Council's mandatory driver training course for new and existing Hackney Carriage (HC) and Private Hire (PH) drivers became effective on 8 June 2021. From this date, no application for either the grant of a new HC or PH driver licence or the renewal of a HC or PH driver licence would be considered unless the applicant had successfully undertaken and passed the training course and associated test.

6.2. The driver training course covers a number of areas such as; disability and equality awareness, customer service, driver safety, and safeguarding. The Committee adopted the course as a mandatory licensing requirement following identified vulnerability gaps in the Council's discharge of its duty in ensuring the drivers licensed by it are 'fit and proper' with the overriding consideration of public safety.

6.3. Furthermore, the Department for Transport's Statutory Taxi and Private Hire Vehicle Standards of July 2020 require that Licensing Authorities should mandate HC and PH drivers to undergo safeguarding training. The Council is therefore now meeting those expectations by mandating safeguarding awareness amongst other training areas relevant to the promotion of both driver and public safety.

6.4. It is widely recognized that the taxi and private hire trade is one of the many sectors negatively affected by the Covid-19 pandemic. Within a recent BBC article dated 5 November 2021, the Licensed Private Hire Car Association has estimated that the industry is short of 160,000 of the previously 300,000-strong workforce, namely a 50% shortfall.

6.5. Licensing Officers have been approached by several members of the Uttlesford taxi and private hire trade who are deeply concerned about their ability to fulfil vital contracted services, in particular Home-to-School Transportation. While the lack of drivers is a nationwide issue, the trade have stressed that the Council's requirement for their existing licensed drivers to undergo the mandatory training course during this time is further exacerbating an already difficult situation. This is because drivers have to commit a full day to undergoing the training course, resulting in a replacement driver having to be sourced to fulfil any booking.

6.6. Licensing Officers recognize and would advise Members that the inability for

the trade to fulfil bookings - particularly such as those relating to school transport - creates a different public safety vulnerability. The Council has a high proportion of school contract operators and they are responsible for transporting some of the most vulnerable people in our society, a number of whom are dependent on having a recognizable and consistent driver and will therefore be adversely affected by any such changes.

6.7. Members should also consider that the Licensing Authority's overriding duty is to promote and protect public safety and any decision it makes should be with that sole regard. While an existing driver will have been previously vetted by the Licensing Authority as a 'fit and proper' person, and therefore should generally be considered as a lesser risk than a person who is not licensed, any deferral would in effect recreate the gap in the vulnerability the Committee identified as referenced in 6.2.

6.8. In respect of the Council's training provider, Green Penny Ltd, any deferral of training courses would inevitably cause a short term financial deficit; however that should be recouped after the conclusion of the proposed period of deferral at which point demand for courses should be higher than it would have otherwise been, notwithstanding that the principal concern raised by Green Penny Ltd with the Licensing Authority is that they may not be able to guarantee the provision of necessary tutors at the point when demand is restored, which would result in a possible shortage of training courses at the time when demand effectively doubles.

6.9. The proposal being put before the Committee is to consider whether to defer the mandatory requirement for existing drivers to undergo the Council's driving training course before they are able to apply for and be granted a new licence for a period of 6 months. In doing so, the taxi and private hire trade would be better placed to fulfil contractual requirements and provide a wider service to the public. However the 6 months is a maximum period of deferral which would not preclude drivers from undertaking the training course earlier should they have the opportunity do so, and Members are requested to stress to drivers and operators that they should endeavor to undertake the course earlier where possible.

6.10. Licensing Officers' recommendation to the Committee for any potential implementation would be for existing licensed drivers to be given a 6 month deferral period from the expiry of their licence. This would be only affect licences that expire on 30 December 2021 up until and including licences that expire on 30 June 2022. A practical example is shown below;

- Licence due to expire on 30.12.2021 to complete the training course by 30.06.2022.
- Licence due to expire on 30.06.2022 to complete the training course by 30.12.2022

6.11. For the assistance of the Committee, the statistics provided below show the numbers of existing licensed drivers due for renewal over the suggested periods of deferral:-

- Driver Licence renewals due between 01.12.2021 – 30.05.2022 = 483

- Driver Licence renewals due between 01.12.2021 – 30.11.2022 = 1090

6.12. It is important to note for clarification purposes that this proposal is for a deferral in respect of existing licensed drivers only. Any new applicant would still be required to pass the course before a licence could be granted.