

Report of the Strategic Director Place to the meeting of Overview & Scrutiny Committee to be held on 12th January 2023.

AB

Subject: HACKNEY CARRIAGE AND PRIVATE HIRE SERVICE.

Summary statement:

This report aims to inform the committee of how the service is working towards achieving a high performing, customer focused hackney carriage and private hire service. How it analyses information to drive improvements in service delivery to the benefit of trade and employees.

Alan Lunt
Interim Strategic Director
Department of Place.

Portfolio: Cllr Sarah Ferriby

Healthy People & Places

Report Contact: Carol Stos
Licensing Service Manager
Phone: 07582 101569
E-mail: carol.stos@bradford.gov.uk

Overview & Scrutiny Area: Corporate

1. SUMMARY

This report aims to inform the committee of how the service is working towards achieving a high performing, customer focused hackney carriage and private hire service. How it analyses information to drive improvements in service delivery to the benefit of the trade and its employees. Included are statistics, performance timescales as well as quality of customer and service interactions obtained from customer surveys and customer drop in sessions. An update as to the number of telephone enquiries into the service and response times.

The aim of the Licensing regime is it only issues licences to drivers of good character and with sufficient driving ability and competence. Private Hire Operators should also pose no threat to the public nor should they have any links to criminality. Vehicles are to be of a sound mechanical condition, be comfortable and clean. They should also meet the requirements of Bradford City's Clean Air Plan.

The service focuses on an educational approach to the trade, providing new driver training, regular email updates with any relevant information and newsletters. Meetings are held regularly with the trade associations and private hire operators. A table of enforcement activity is included.

A summary of legal and financial obligations is provided as well as a statement as to the current financial position.

The public should have reasonable access to both hackney carriage and private hire services due to the integral role they play in local transport provision.

2. BACKGROUND

2.1 Council Responsibility

Bradford Council is the body responsible for carrying out the function of hackney carriage and private hire licensing in the Bradford District. The hackney carriage and private hire service (HCPH) carries out this function on behalf of the Council.

Bradford Council has currently licensed
Private hire drivers 5207
Private hire vehicles 3686
Private hire operators 111
Hackney carriage drivers 303
Hackney carriage vehicles 213

2.2 Finance – Legal obligations

In December 2019 the Court of Appeal in the case “R (on the application of Abdul Rehman, on behalf of the Wakefield District Hackney Carriage and Private Hire Association) v The Council of the City of Wakefield and The Local Government Association (Intervening) [2019] EWCA Civ 2166” confirmed that there is no general principle that the taxi licensing fee regime should be self-financing and that the costs associated to enforcing the behaviour of licensed drivers could be recovered via the licence fee set under s53(2) LGMPA76. The judgement stated (para 46):

“In any event, we consider that the costs of enforcing the behaviour of licensed drivers can be recovered through the driver’s licence fee under section 53(2). The relevant words in that provision are “the costs of issue and administration”. The costs of “administration” must be something other than, and in addition to, the costs of “issue”. There is no difficulty in interpreting “administration” in its statutory context as extending to administration of the licence after it has been issued. It naturally includes the costs of suspension and revocation, which are events expressly mentioned in Part II of the 1976 Act. Suspension and revocation rest on non-compliance with the requirements and conditions for continuing to hold the licence. As we have said, it would therefore have been obvious to Parliament, when enacting the 1976 Act, that costs would be incurred by the district council in monitoring compliance with such requirements and conditions.”

The significance of the Court of Appeal’s ruling is that it clarified the correct procedure that councils must apply when setting taxi and private hire fees.

Costs associated with monitoring and enforcing driver conduct must be factored into to driver licensing fees under section 53 not vehicle licence fees under section 70 as was the case in Wakefield. The case reaffirmed the principle that cross-subsidisation of taxi and private hire fees is not permitted in law.

Details of the relevant legislation can be found at Appendix 1.

2.3 Customer Service and Performance.

A Customer Charter has been put in place which sets out clear expectations of how the hackney carriage and private hire service will work with the trade.

See timescales at Appendix C

The service is looking at ways it can better interact with the licensed trade, provide help, support and guidance where needed and evidence excellent customer Services.

The service recently held a series of Driver ‘Drop in Sessions’ so as to be able to look at the type of help and assistance would benefit the trade.

These were held across the district at the end of September, beginning of October, and although the details of the session information were sent out to all licence holders, they weren't particularly well attended.

The majority of queries were customers chasing new driver applications and technical and/or website help. We are experiencing extremely high numbers of new driver applications which means that applicants are waiting for a longer period of time for their application to be progressed. The service will focus on a way to update the website with additional information setting out expectations and timeframes.

Attendee figures & locations for the sessions were as follows;

	Attendees
Emily St Mosque	20
Laisterdyke Library	14
Shearbridge Depot	8
Girlington Community Centre	11

Enquiry Types

Enquiry	Number of Queries
Clean Air Zone	6
Tax Conditionality	3
Change of Op	6
Suitability Policy	3
App Chase	10
Right to Work	6
Renewal	8
Tech/Web Support	12
DBS	2
DVLA Code	1
Other	1

2.4 Provide excellent customer service with council staff attentive to drivers requests with regular driver satisfaction surveys for drivers.

Drivers deserve and should expect to always be treated with the respect and dignity associated with high standards of customer service.

The service has introduced a simple, 'click the number of stars' survey for licence holders to be able to provide their feedback. The survey splits the responses into two sections the first asks the customer to rate the helpfulness, professionalism and knowledge of the staff member. The second is about the overall experience of the

service, ease of process and other key points as well as the opportunity to provide specific feedback.

Report on the Customer Surveys is at Appendix B

2.5 Deliver prompt responses to written correspondence, queries, issues and concerns raised by drivers with a response provided within 24 hours and dedicated appointment slots each day for those with urgent cases.

In October/November 2020 the service in conjunction with operators from the trade produced a Service Level (SL) which is used by both the licensed trade and the service itself to set out timely expectations for the driver renewal process and the new and renewal vehicle application processes. The SL's and an explanatory email was sent to all licensees on 25th November 2020.

Details of the SL's can be found at Appendix C

2.6 Renewal Applications

The licence renewal process allows 42 days (6 weeks) to complete, allowing time for any potential queries to be resolved.

A renewal invitation is emailed to the applicant 6 weeks prior to expiry.

The customer is invited to apply on line, submit documentation and make payment at their convenience, 24 hours a day. Once the checks are completed the licence is issued with no loss of time/licence fee to the licensee.

Below is a table which details the number of applications submitted for processing, followed by the number of days it took for the applicant to submit the application from the date the renewal invitation was sent. Next is the number of days it took for an officer to pick-up the application and begin to process it. The final number is the total number of days taken to process and issue a driver licence, in the case of a vehicle application is shows the number of days until the vehicle is booked in for test.

2.7 Licensing Process Statistics compare data from the periods:
1st April 2021 to 31st October 2021 & 1st April 2022 to 31st October 2022.

Licence Type	No of Licences		Avg. No of days for applicant to apply		Avg. No of days for Application to be accepted		Avg. No of days taken to process licence	
	2021	2022	2021	2022	2021	2022	2021	2022
Driver Renewal	1149	1006	23.69	20.28	2.37	4.68	19.29	11.02
New Vehicle	1127	1572	n/a as no renewal	n/a as no renewal	2.84	2.10	21.88	18.43
Renewal Vehicle	1473	1350	17.60	13.31	2.52	3.77	24.95	25.28

The table shows that applicants are submitting their renewals sooner than previously which is encouraging, there is a slight delay in the average number of days for an application to be accepted by the service, except new vehicle applications. This is due

to the recruitment freeze being in place whilst a service re-structure is being undertaken. More positive data and another indicator of the impact of our process improvements is that once an application is started they are being processed quicker.

2.8 New Driver

New driver applications are at an all-time high. Progress can vary, often depending on the personal circumstances of the applicant. There are different stages that need to be completed such as training and signing up to the DBS update service which can take a longer duration of time with elements that are out of the service's control. Since April 2022 1893 new driver applications have been ongoing and these are at various stages such as awaiting documentation from customer, waiting for DBS certificates and waiting to complete a driver standards assessment. There are currently 802 ongoing applications of which we are awaiting required documentation from the customer so the officer can progress to interview stage.

2.9 Enforcement Team

The Enforcement team carry out a variety of tasks, table highlighting the main of these is below.

Enforcement Action 01 Oct 2021 – 30 Sept 2022	Total
Complaints received from members of the public	335
Complaints made about the Licensing Service	18
Evening and weekend patrols (Enforcement Officers conducting random vehicle/driver compliance inspections and base checks)	76
Full Operator Base Audits (annual renewals/5 year mid-licence/new applications)	114
Officer Review investigations	278
Officer Review Panel hearings	31
Warning notices issued	531
Driver applications refused	83
Driver Licenses Revoked	46
Court appeals pending (as at 10/11/2022)	10

2.10 Email Enquiries

All queries, issues and concerns will be acknowledged and where possible a response will be provided within 3 working days. For longer more complex cases the customer will be kept up to date as progress is made with their case.

On average 3500 emails were received in October, these emails are further divided into further categories to ensure urgent matters are dealt with as a priority. Emails received by the service include but not limited to; lost/stolen plate and badge, right to work extensions, road traffic accidents, enquiries about processes, help completing

forms, support with the website, clean air zone queries, changing details with the service, GDPR requests and complaints/compliments.

2.11 Provide a designated contact telephone line through which drivers can raise any queries, issues and concerns that must be addressed in a timely manner.

Calls coming in to the Contact Centre were transferred to the service WEF 1st July 2022. We support the customer with generic issues (website navigation and general enquires) with more individual or specific queries passed directly back to the licensing team for a more detailed response. All escalated calls are being responded to promptly.

The service is monitoring calls and response timeframes. We can report that since the beginning of July 2022 the service have handled 634 calls which resulted in 4 queries to the service. All these queries were responded to within 24 hours.

2.12 Complaints and compliments received by the service

The service ensures it creates a clear pathway for customers/elected members to submit any complaints/compliments to the service.

The below figures are the number received in 2022 by type of complaint / query / compliment

Councillor Queries – This is a request from a councillor from the Bradford district as a result of a constituent approaching them about their licence. These usually include asking for an update for a delay in issuing someone’s licence which can be for a number of reasons but the main reasons include satisfying a right to work check and awaiting a DBS. The service has received 36 of these to date in 2022. 35 queries have been answered and Councillor’s satisfied with the conclusion the service has provided, with 1 still ongoing.

Service Complaints (requests)– These are complaints received directly from a licensee who may be unhappy/dissatisfied with the service they have received from an Officer. These usually include asking for an update for a delay in issuing a licence, requesting a refund and asking the service to depart from policy. During the 12 month period Oct 21 to Sept 22 the service has received 22 all those complaints have been answered with none progressing to a Stage 2 complaint.

Stage 1 Complaints – These complaints have been submitted formally to be investigated under the full Stage 1 complaints process. The service has received 2 of these and both have been answered with neither progressing to a Stage 2 complaint.

Compliments – The service usually receives compliments verbally from customers after a positive interaction. The service introduced Customer Surveys in August 2021

to capture feedback from customers. In 2022 outside of the customer surveys the service has received 6 compliments in writing praising staff members for their help.

4. FINANCIAL & RESOURCE APPRAISAL

4.1 Financial Analysis.

The requirements at section 2.1 set out the legal basis for accounting of income and expenditure for the licensing service.

The last time that fees were increased in Bradford was in 2008. Since that time there has been a reduction in true terms for vehicle licensing fees as in 2015 the requirement for vehicles over the age of 6 to have two licences per year was removed, being replaced with a requirement to carry out a sample of random vehicle testing, at no additional cost to those who are tested.

Any year end surpluses or deficits are managed through a ring fenced reserve. Work is currently on-going with finance to ensure that income is clearly defined within the 5 work streams, drivers hackney carriage and private hire, vehicles hackney carriage and private hire and operators. There is still work to be undertaken in the apportionment of services costs and overheads, resources have been identified and this work is planned to be undertaken in time for the start of the new financial year in 2023.

The current predicted financial position is that the service is budgeted to make a small surplus, a reason for this is that new driver and vehicle applications are above the anticipated numbers which at this time is predicted to continue in to the next financial year. This would mean that there is currently no requirement to adjust fees.

4.2 Licence Fees.

Bradford's drivers licence fees are equal to if not low by comparison to other authorities.

Comparisons of fees is very complicated as all authorities have different criteria which can be separated as additional costs but all add towards the total fee to be paid, these include, different vehicle age & livery, costs for tests, DBS and update service, training, admin fees and others.

Below is a table showing some examples .

	Renewal Driver		New Vehicle		Renewal Vehicle	
	1 year	3 year	5y & under	6y & above	5y & under	6y & above
Bradford	81.00	199.00	165.00	240.00	165.00	240.00
Calderdale	104.00 Combined HC&PH 149.00	239.00 Combined HC&PH 359	232.00	232.00	232.00	232.00
Kirklees	83.50	238.00	188.35	188.35	132.60	132.60
Leeds	150.00	390.00	180.00	180.00	135.00	245.00
Craven	PH 88.06 HC 109.58 Combined HC&PH 149.58	PH 151.31 HC 178.83 Combined HC&PH 212.83	PH 210.94 HC 243.21 1 year licence for 0-3 years old	PH 108.00 HC 125.00 6 month licence for 3-12 years old	PH 210.94 HC 243.21 1 year licence for 0-3 years old	PH 108.00 HC 125.00 6 month licence for 3-12 years old
York	n/a	239.00	216.00	216.00	189.00	189.00
Manchester	n/a	254.00	268.00	328.00	264.00	324.00

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

If there are no significant risks arising out of the implementation of the proposed recommendations it should be stated but only on advice of the Assistant Director Finance and Procurement and the City Solicitor.

6. LEGAL APPRAISAL

All licensing Policy and Conditions of Licence are subject legal approval.

7. OTHER IMPLICATIONS

7.1 EQUALITY & DIVERSITY

We believe that any service performs at its best when it is reflective of the community it serves. We will work hard to promote vacancies across a range of media and provide clear information and advice about how to prepare for interview so that it is a transparent level playing field throughout the recruitment process.

All staff are respectful towards all of the protected characteristics of the Equality Act and enjoy embracing the many religious festivals and days of celebration the service shares with our customers and staff.

When considering the Equality Act 2010, the Council will also have regard for the Public Sector Equality Duty, which places a duty on the Council to have due regard to:

- Eliminate unlawful discrimination
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster or encourage good relations between people who share a protected characteristic and those who do not.

Through the Policy, the Council seeks to deliver on the duties placed upon it through the Equality Act. The Council will have regard for the above measures in dealing with the licensing objectives, by protecting the public and licensed drivers from discrimination and ensuring that any unlawful discrimination is dealt with appropriately, working with representatives of the trade and the Police.

7.2 SUSTAINABILITY IMPLICATIONS

None

7.3 GREENHOUSE GAS EMISSIONS IMPACTS

None

7.4 COMMUNITY SAFETY IMPLICATIONS

None

7.5 HUMAN RIGHTS ACT

None

7.6 TRADE UNION

None

7.7 WARD IMPLICATIONS

None

7.8 AREA COMMITTEE ACTION PLAN IMPLICATIONS (for reports to Area Committees only)

None

7.9 IMPLICATIONS FOR CORPORATE PARENTING

None

7.10 ISSUES ARISING FROM PRIVACY IMPACT ASSESMENT

None

8. NOT FOR PUBLICATION DOCUMENTS

None

9. OPTIONS

None

10. RECOMMENDATIONS

Recommended - That the Committee consider and comment on the report.

11. APPENDICES

Appendix A – Local Government (Miscellaneous Provisions) Act 1976 - Fees

Appendix B – Customer Survey Feedback

Appendix C - Customer Service Levels

Appendix A – Local Government (Miscellaneous Provisions) Act 1976 - Fees

53 Drivers' licences for hackney carriages and private hire vehicles.

(2) Notwithstanding the provisions of the Act of 1847, a district council may demand and recover for the grant to any person of a licence to drive a hackney carriage, or a private hire vehicle, as the case may be, such a fee as they consider reasonable with a view to recovering the costs of issue and administration and may remit the whole or part of the fee in respect of a private hire vehicle in any case in which they think it appropriate to do so.

70 Fees for vehicle and operators' licences.

(1) Subject to the provisions of subsection (2) of this section, a district council may charge such fees for the grant of vehicle and operators' licences as may be resolved by them from time to time and as may be sufficient in the aggregate to cover in whole or in part—

(a) the reasonable cost of the carrying out by or on behalf of the district council of inspections of hackney carriages and private hire vehicles for the purpose of determining whether any such licence should be granted or renewed;

(b) the reasonable cost of providing hackney carriage stands; and

(c) any reasonable administrative or other costs in connection with the foregoing and with the control and supervision of hackney carriages and private hire vehicles.

(2) The fees chargeable under this section shall not exceed—

(a) for the grant of a vehicle licence in respect of a hackney carriage, twenty-five pounds;

(b) for the grant of a vehicle licence in respect of a private hire vehicle, twenty-five pounds; and

(c) for the grant of an operator's licence, twenty-five pounds per annum;

or, in any such case, such other sums as a district council may, subject to the following provisions of this section, from time to time determine.

(3)(a) If a district council determine that the maximum fees specified in subsection (2) of this section should be varied they shall publish in at least one local newspaper circulating in the district a notice setting out the variation proposed, drawing attention to the provisions of paragraph (b) of this subsection and specifying the period, which shall not be less than twenty-eight days from the date of the first publication of the notice, within which and the manner in which objections to the variation can be made.

(b) A copy of the notice referred to in paragraph (a) of this subsection shall for the period of twenty-eight days from the date of the first publication thereof be deposited at the offices of the council which published the notice and shall at all reasonable hours be open to public inspection without payment.

(4) If no objection to a variation is duly made within the period specified in the notice referred to in subsection (3) of this section, or if all objections so made are withdrawn, the variation shall come into operation on the date of the expiration of the period specified in the notice or the date of withdrawal of the objection or, if more than one, of the last objection, whichever date is the later.

(5) If objection is duly made as aforesaid and is not withdrawn, the district council shall set a further date, not later than two months after the first specified date, on which the variation

shall come into force with or without modification as decided by the district council after consideration of the objections.

(6)A district council may remit the whole or part of any fee chargeable in pursuance of this section for the grant of a licence under section 48 or 55 of this Act in any case in which they think it appropriate to do so

Appendix B– Customer Survey Feedback

Customer Surveys are a good way to collect information from customers and gain valuable insight into what they think is good and what could be improved. As well as ensuring excellent customer service, we use the surveys to gain insight in to where customers think we can improve. Surveys have been sent out for almost 18 months, for the following categories:

General Queries – Used across the service to by all Officers when they have had an interaction with a customer about something other than the categories below. This could range from contacting us for guidance on a query, following an Officer review, changing their Operator and the list goes on. After the Officer has dealt with the query this survey will be sent for the customer to complete to feedback how their experience was.

New Driver – The survey is sent at the point of issue for a new licence, when all checks and assessments have been completed.

New Vehicle – When all documentation and background checks have been completed and the vehicle is booked for a vehicle safety inspection a Licensing Officer will send the survey to collect feedback on how the customer feels the process has been.

Renewal Driver – When a driver renewal application is received the Officer will carry out the mandatory checks as well as request any necessary documentation. When the badge has been issued and is ready to be sent out the Officer will send this survey.

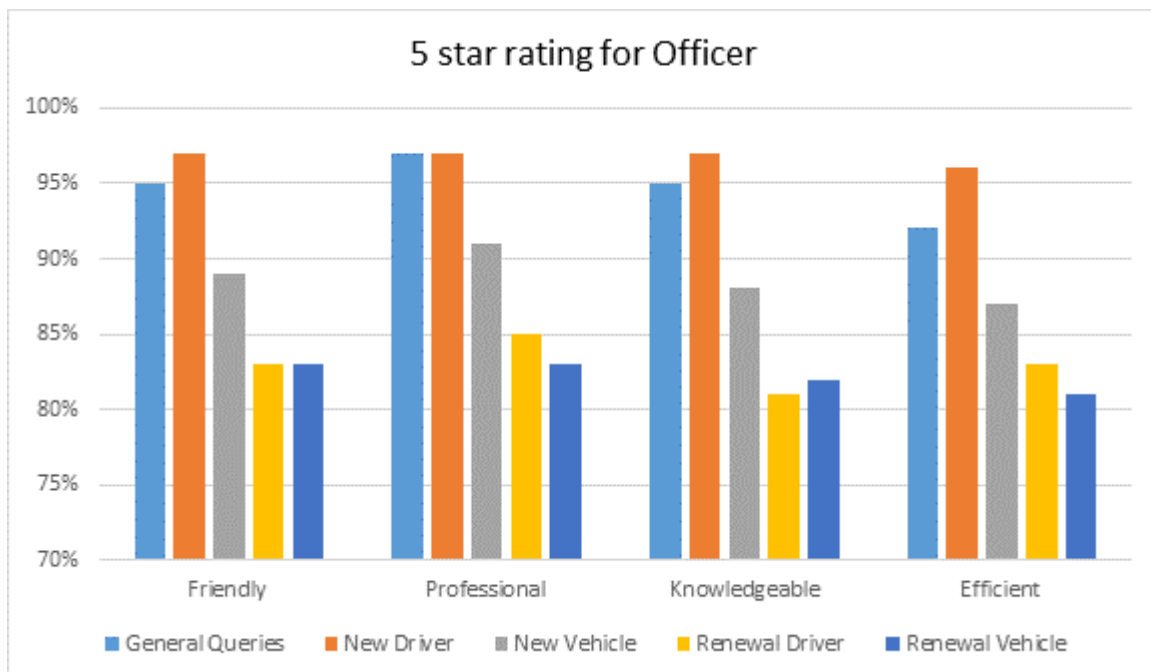
Renewal Vehicle – When a vehicle renewal application is received the Officer will carry out the mandatory checks as well as request any necessary documentation. When the vehicle has been booked for a vehicle safety inspection the Officer will send this survey.

The below data will show how many surveys have been sent since November 2021 and how many responses have been received back.

Survey Type	Sent	Received
General Queries	414	42
New Driver	484	131
New Vehicle	1861	174
Renewal Driver	899	147
Renewal Vehicle	1515	107

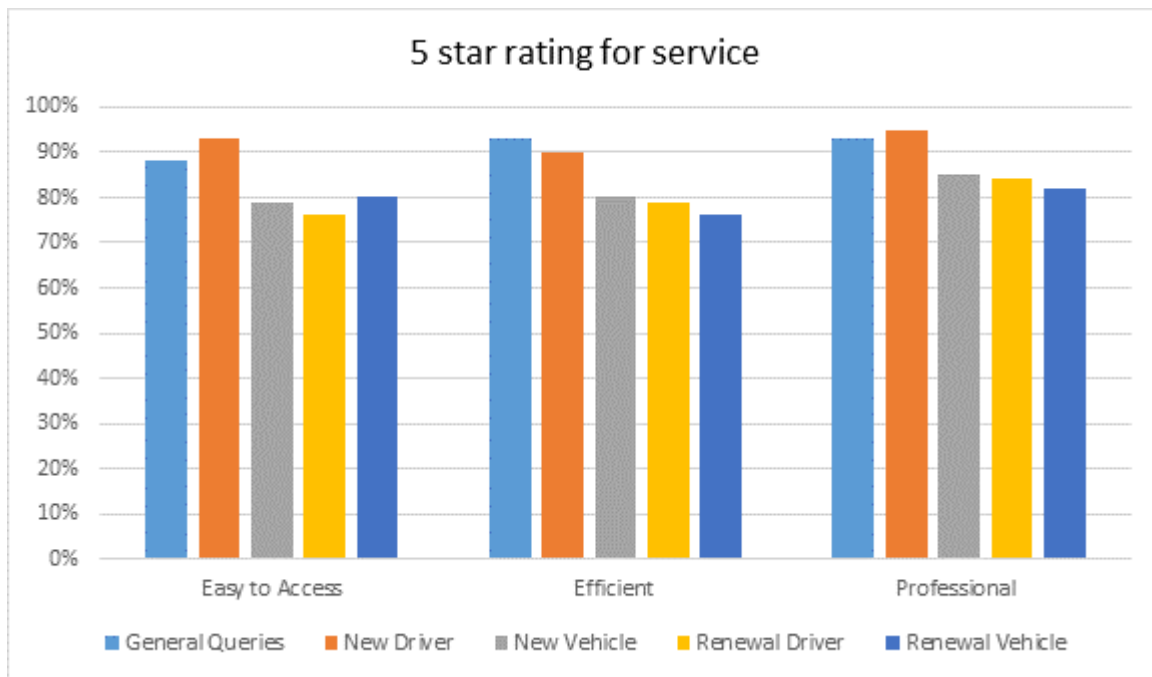
In every survey we ask the customer to rate the Officer that dealt with their query in a number of categories. These include Friendly, Professional, Knowledgeable and Efficient.

The below data shows what percent of the results reflect the Officers getting a 5-star rating for the help they provided.



Customers are also asked to rate the service and how the experience was for them for that particular instance. The categories include Easy to Access, Efficient and Professional.

The below data shows what percent of the results reflect the Service getting a 5-star rating for this query.

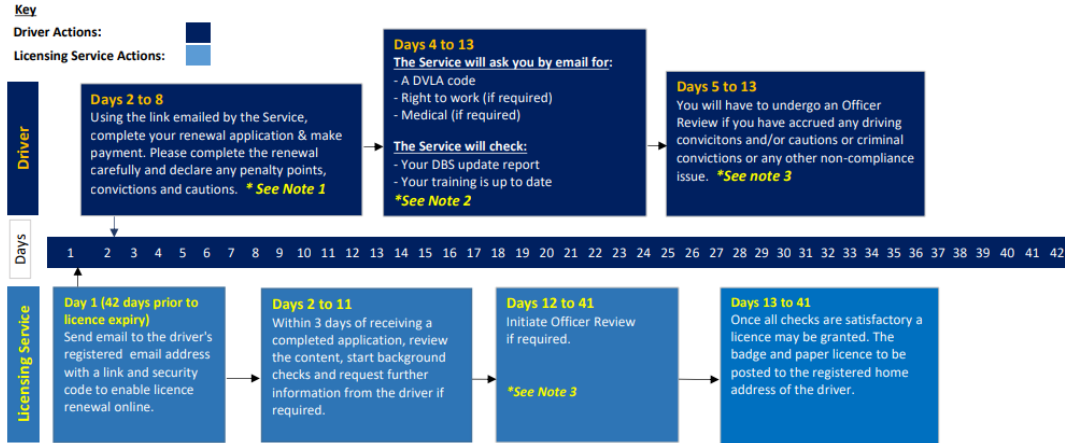


Appendix C – Customer Service Levels

Driver

Renewal

HCPH Service Level - Driver Licence Renewal



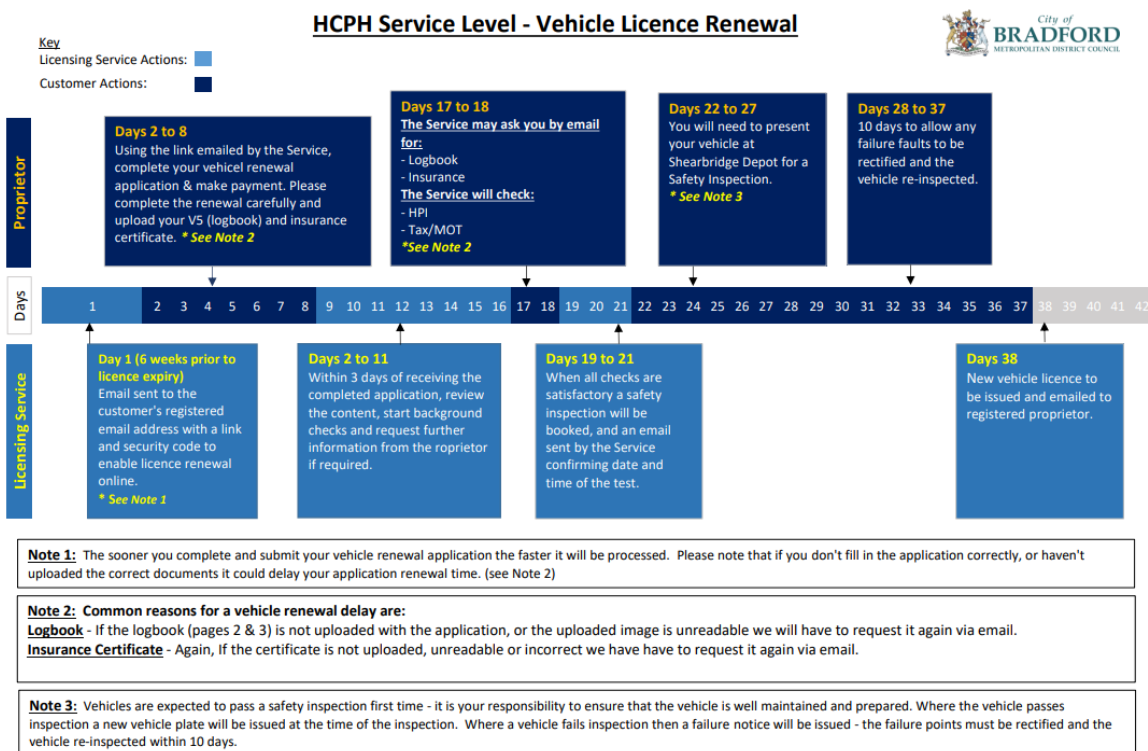
Note 1 The sooner you complete and submit your renewal application the faster it will be processed. Please note that if you don't fill in the application correctly, haven't maintained your DBS Update subscription or don't declare any changes to your situation, e.g. penalty points, convictions etc., it will require an Officer Review which could delay your renewal time significantly (see Note 3).

Note 2
DBS - The most common reason for a licence renewal delay is due to drivers not maintaining their payments to the DBS Update Service - which is a Condition of Licence. Note: you do **not** have to wait for your licence renewal to check that you are subscribed. If you find that you are not subscribed please contact the Service immediately.
Right to Work - The Service needs to check your right to work has not expired. This information is available on your visa or biometric residence card.

Note 3 If you are required to undergo an Officer Review you will be notified by email. You will be asked to submit any mitigating circumstances regarding the reason(s) for the Officer Review. It is important that you respond without delay as this process could take up to 28 days depending on the reason(s) for Officer Review.

November 2020

Vehicle Renewal



November 2020

12. BACKGROUND DOCUMENTS

- Town Police Clauses Act 1847 and 1889
- Local Government (Miscellaneous Provisions) Act 1976
- Transport Act 1985 and 2000
- Crime and Disorder Act 1998
- Environmental Protection Act 1990
- Equality Act 2010
- Road Traffic Acts 1988/ 1991.
- Health Act 2006
- Human Rights Act 1998