

Report of the Strategic Director Place to the meeting of Overview & Scrutiny Committee to be held on 11th January 2024. **Z**

Subject: HACKNEY CARRIAGE AND PRIVATE HIRE SERVICE.

Summary statement:

This report is to provide an update to the committee on 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.

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.

David Shepherd
Strategic Director
Department of Place.
Report Contact: Carol Stos
Licensing Service Manager
Phone: 07582 101569
E-mail: carol.stos@bradford.gov.uk

Portfolio: Cllr Sarah Ferriby
Health & Wellbeing
Overview & Scrutiny Area: Corporate

1. SUMMARY

This report provides an update on how the service is working towards achieving a high performing, customer focused hackney carriage and private hire service.

The aim of the Licensing regime is to only issue 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.

The service focuses on an educational approach to the trade, providing new and existing driver training. Provide regular email updates with any relevant information and newsletters. Meetings are held regularly with the trade associations and private hire operators.

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:

6498	Private hire drivers
4663	Private hire vehicles
120	Private hire operators
301	Hackney carriage drivers
213	Hackney carriage vehicles

2.2 Finance – Legal obligations

The setting of fees for taxi licences is a non-executive function pursuant to the Local Government (Miscellaneous Provisions) Act 1976, sections 53 and 70. There is a legal procedure which must be followed when setting such fees and failure to adhere to this would render the fees invalid.

The Act states that the taxi and private hire licensing fees can only be used as defined within the Act and cannot be used to generate revenue for a district council. To vary the fees, either to increase or reduce, the Council must follow a set procedure and calculate fees based on allowable expenditure.

There is recent relevant case law which directly impacts on fee setting and the potential for legal challenge.

2.3 Provide excellent customer service

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

Overall, the Service is very encouraged by the comments received; it is traditionally difficult to receive positive feedback some detailed quotes are included in the customer survey report.

Report on the Customer Surveys is at Appendix B

2.4 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 online, 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 it shows the number of days until the vehicle is booked in for test.

2.5 Licensing Process Statistics. 1st November 2022 to 31st October 2023

Licence Type	Number of Applications		Number Issued		Average Days to Apply		Average Days to Assign		Average Processing Days	
	2021/22	2022/23	2021/22	2022/23	2021/22	2022/23	2021/22	2022/23	2021/22	2022/23
New Drivers	2834	3211	1582	1464	n/a	n/a	58.4	58.35	272	218
Driver renewals	1668	1962	1623	1891	20.28	22.3	4.68	3.9	11.02	11
New Vehicles	2483	2127	2326	1941	n/a	n/a	1.9	1.9	15	28
Vehicle Renewals	2221	3389	2131	3285	13.31	12.2	3.77	3.07	25.28	32

2.5.1 Driver Renewal

The number of driver renewals remains similar each year with the number of days it takes the driver to submit their renewal showing a slight increase this year. The number of days it takes officers to commence work on the applications and issue the renewed licence have both reduced this year.

2.5.2 Vehicle Renewal

There has been a decrease in the number of days taken by proprietors to submit their renewal application and a slight reduction in the time taken for an officer to commence work on the case. There is an increase in processing time, this is due to the longer waiting time for vehicles to have their mechanical inspection prior to the licence being issued.

2.5.3 New Driver

New driver applications are still increasing. Overall, less licences have been issued in the past year although the time to assign to an officer and once progress has started this time frame has improved.

2.5.4 New Vehicle

New vehicle applications are increasing. This is to be expected with the overall increase in drivers seen over the past two years that need a vehicle to drive.

The longer processing time for new vehicles due to the service prioritising renewal vehicle testing of existing licenced vehicles.

2.6 Regulatory and Compliance Team

The Regulatory and Compliance Team carry out a variety of tasks, a table highlighting the main tasks is shown below.

Enforcement Action 31st Oct 2022 – 1st Nov 2023	Total	
Complaints received from members of the public about licensees	388	
Proactive patrols (Inspection & Compliance Officers conduct random vehicle/driver compliance inspections, base visits or working with partners).	58	
Operator Audits (annual renewals/5 year mid-licence/new applications)	180	
Officer Review investigations	380	
Warning notices issued	295	
Driver applications refused	79	
Driver Licences Revoked	60	
Court appeals	Total 37	
All appeals listed with the Court in 2023 where an individual has been aggrieved by a decision to refuse or revoke a licence and has exercised their right to appeal. Pending cases are now listed for dates in 2024	Concluded 16	
	Pending 21	
	Cases upheld against the Council	0

2.7 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 receive regular updates on the progress being made on their case.

The number of emails currently coming into the service's main inbox is an average of 1200 per week. This is a significant increase as expected due to the increase in licensees.

In addition to this we have introduced an enhanced system where by the standard documents requested by the processes are received directly into the case officers email in box. This avoids double handling and is much more efficient. This has resulted in slightly improved processing times for officers. These are known as 'smart forms'. The service received 402 smart forms w/c 4th December 2023.

2.8 Telephone Contact

The number of calls received during the period 1st November 2022 and 31st October 2023 is 1704, which is an average of 33 per week.

The majority of calls from customers enquiring about new applications for drivers and vehicles. Any specific licencing queries are fed back to the licencing team for a response. Callers with general inquiries are being referred to the website.

2.9 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.

Complaints received regarding the service during the period 1st November 2022 and 31st October 2023 was approx. 70. The majority of these were regarding New Applicant processing times and vehicle test dates. We currently have no outstanding complaints.

3. None.

4. FINANCIAL & RESOURCE APPRAISAL

4.1 Financial Analysis

The requirements at section 2.2 summarises 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 vehicle tests 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 2024.

The current predicted financial position is that the service is budgeted to make a reasonable surplus, the reason for this is that new driver and vehicle applications are above the anticipated numbers and continue to increase.

A review of fees and their makeup is being undertaken.

4.2 Licence Fees

In providing the licensing function, the Council, under the provisions of the 1976 Act, is entitled to levy fees to recover the reasonable cost associated with:

- recovering the costs of the issue and administration of drivers' licences
- the inspection of vehicles for the purposes of determining whether any such licence should be granted or renewed
- the provision of hackney carriage stands
- any administrative or other costs in connection with the control and supervision of hackney carriage and private hire vehicles.

There are five work streams covering these activities, those being private hire driver and vehicle Hackney carriage driver and vehicle and operators.

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

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 SUSTAINABILITY IMPLICATIONS

None

7.2 TACKLING THE CLIMATE EMERGENCY IMPLICATIONS

None

7.3 COMMUNITY SAFETY IMPLICATIONS

None

7.4 HUMAN RIGHTS ACT

None

7.5 TRADE UNION

None

7.6 WARD IMPLICATIONS

None

7.7 AREA COMMITTEE ACTION PLAN IMPLICATIONS

None

7.8 IMPLICATIONS FOR CHILDREN AND YOUNG PEOPLE

None

7.9 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

12. BACKGROUND DOCUMENTS

Town Police Clauses Act 1847 and 1889
Local Government (Miscellaneous Provisions) Act 1976
Taxis and Private Hire Vehicles (Safeguarding and Road Safety) Act 2022
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

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.

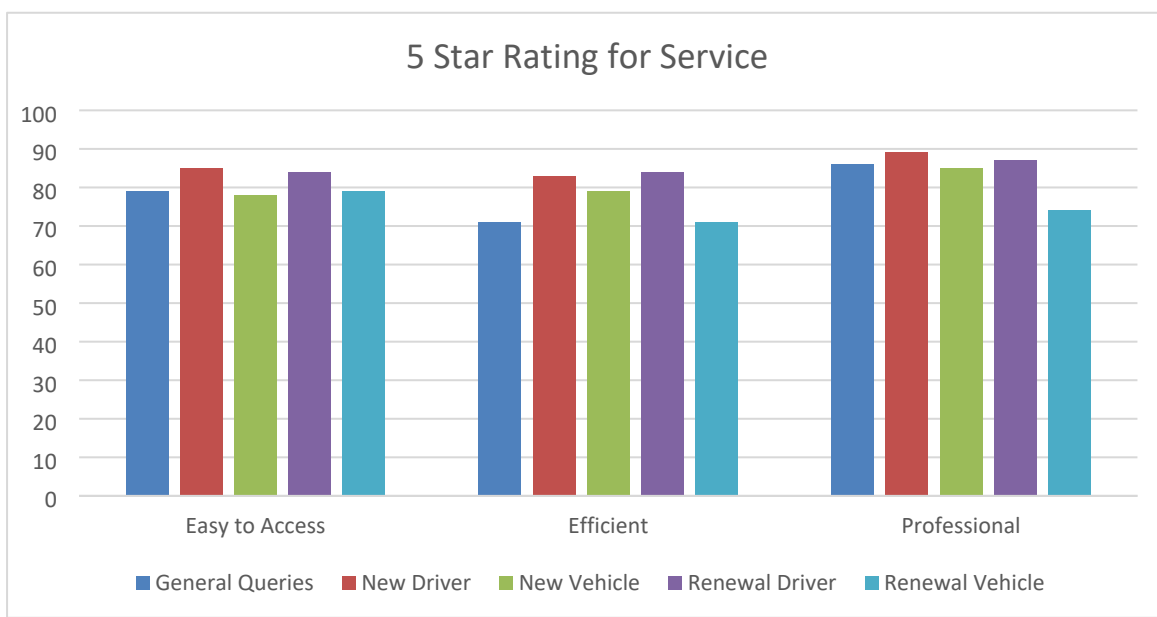
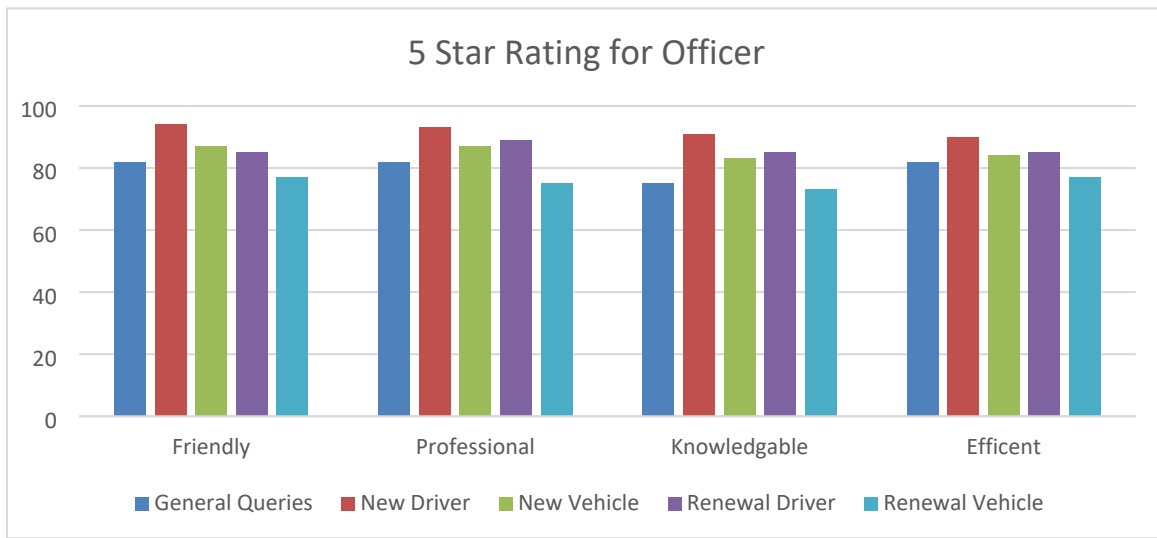
(5) If objection is duly made as aforesaid and is not withdrawn, the district council shall set a further date, not later than two months after the first specified date, on which the variation shall come into force with or without modification as decided by the district council after consideration of 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 satisfaction survey results for period 1st November 2022 to 31st October 2023

Survey Type	Sent	Received
General Queries	597	31
New Driver	1198	224
New Vehicle	1515	106
Renewal Driver	1392	177
Renewal Vehicle	2544	145



Positive Comments received on the surveys for Renewal Drivers

“Quick response very fast service”

“All good and very helpful”

“Really appreciated very good service”

“Very easy to complete

Positive Comments received on the surveys for New Drivers

“My whole experience was amazing. The person who guide me was very professional and helpful.”

“Yes top quality professional services throughout the whole application process”

“Very Very Very nice service thank you very much”

“Really helpful staff. The application process was straightforward and easy to do.”

Positive Comments received on the surveys for Renewal Vehicles

“Brilliant service thanks”

“Excellent service a lot better than the older days”

“Excellent service a lot better than the older days”

“Thank you being so helpful. You guys always help me and motivate me to do the same to others.”

Positive Comments received on the surveys for New Vehicles

“I think with taxi service being so busy they are doing very good job”

“Thanks for helping me and you are answering my emails also I’m happy with it Thanks!”

“I am very pleased with the service u received. Thank you very much”

“Very helpful”

Positive Comments received on the surveys for General Queries

“It's perfect”

“Keep working hard the way u are already.”

“each time I have spoken to staff, they have been amazing and great help”

“Brilliant, professional helpful Team of Shearbridge Bradford Council well done to the whole team”