

**Peer Review of  
Hackney Carriage and Private Hire Service  
City of Bradford Metropolitan District Council**



Autumn 2017

# Contents

<b>Background to the Review</b>	<b>3</b>
<b>1 - Policies and Procedures</b>	<b>4</b>
Decision Making and Enforcement	19
Driver Applications	20
Vehicle Licences	20
Other Decisions and Enforcement Action	21
Conclusions	21
<b>2 - Driver/Operator Engagement</b>	<b>23</b>
Web Pages	23
Policy Engagement / Consultation	23
Driver Engagement / Consultation	24
General Engagement, Consultation and Communication	25
Conclusions	25
<b>3 - Customer Service</b>	<b>27</b>
Premises	27
Licensing Fees	28
Application Process	32
Customer Satisfaction Monitoring	33
Compliments and Complaints	33
Customer Interviews and Conclusions	33
<b>4 - Training Delivery</b>	<b>37</b>
Training in Bradford	37
Training in Leeds	38
Conclusions	39
<b>Review Recommendations</b>	<b>41</b>

## Background to the Review

Bradford's Hackney Carriage and Private Hire Service provides licencing, regulation and enforcement services for 220 Hackney Carriages, 3,100 Private Hire vehicles, 330 hackney carriage drivers, 3,970 private hire drivers and 118 Operators. The service receives around 14,000 client visits per year to their Shearbridge Depot offices.

**Table 1:** Number of Licences in Bradford and Leeds

Licence	Bradford (as at October 2017)	Leeds (as at 1 January 2017)
Hackney Carriage Drivers	330	951
Hackney Carriage Vehicles	220	537
Private Hire Drivers	3,970	5,180
Private Hire Vehicles	3,100	4,284
Private Hire Operators	118	78

The Private Hire industry is a rapidly evolving business with the introduction of new ICT based business processes and the entrance of major operators such as Uber. Some Private Hire Operators are looking to innovate in response and have recently questioned some of the practices and operation of the current CBMDC service. A recent example would be the application of policies with regard to decals and vehicle advertising.

Bradford has requested that Leeds "peer review" aspects of the service with regard to: -

1. Policies and procedures;
2. Driver/Operator engagement;
3. Customer service; and
4. Training delivery.

Key areas of enquiry are explored in this report and a general principle of the review was that these are benchmarked against best practice and, in particular, compared with Leeds.

The Department for Transport (DfT) [Taxi and Private Hire Vehicle Licensing Best Practice Guidance](#) has been used for benchmarking purposes, which is recognised as best practice throughout the licensing community. The guidance was last published in 2010 so some references have been updated to reflect currently accepted best practice and procedure.

Links to published policies or further information available on the internet have been included for the reader to use if they want further information on anything discussed in this paper.

I would also like to thank the officers of Bradford's Hackney Carriage and Private Hire Service and the customers I interviewed for their time providing the information for this report.

## Section 1

# Policies and Procedures

The Review was asked to focus on whether existing policies and procedures are fit for purpose, covering the following points: -

- Clarity – well written, unambiguous;
- Comprehensive and reasonable;
- Consistency – implemented rigorously; and
- Decision making processes - correct seniority of authorisation, proportionate.

Bradford has collated its main policy and conditions into one document, its Licence Standards & Procedures and Vehicle Licence Conditions document available on its website [here](#). This is an excellent reference book for licence holders and designed to be kept in the vehicle's glove compartment for easy reference. However, the latest version of this document is dated June 2015 and there have been two sets of changes to the conditions since then. Although the webpage has details of those changes clearly made out, they are not included in the Conditions Book. The Service has already identified this issue, and are now planning on reissuing an updated version of the book on the internet only, so it can be kept up to date without the need to produce expensive paper versions. It is accepted that people have access to smartphones and tablets these days so will be still able to refer to the book in that way, without the need for a paper copy in their glove compartment.

All policies and licence conditions are regularly reviewed as required. There is a comprehensive consultation with the trade before any changes are agreed at the Regulatory and Appeals Committee. The consultation process is explored in detail later in this report.

Table 2 gives a comparison of Bradford's policies with national best practice and Leeds' policies.

**Table 2: Policies and Procedures**

Policy	Overview and Clarity	Comprehensive and Reasonable in Comparison with Established Best Practice	Comparison to Leeds
<b>Application Criteria</b>			
Driving Test	Bradford uses an Advanced Driving Standards Test through <a href="#">approved suppliers</a> . Included in Stage 1 (Step 5) of Bradford’s <a href="#">application process</a> .	Many local authorities rely on the standard car driving licence as evidence of driving proficiency. Others require some further driving test to be taken. Local authorities will want to consider carefully whether this produces benefits which are commensurate with the costs involved for would-be drivers, the costs being in terms of both money and broader obstacles to entry to the trade. The DSA used to provide an advanced driving assessment and this was generally accepted as best practice. This was withdrawn in early 2017 and authorities are now having to arrange advanced testing through other suppliers.	Leeds also use an Advanced Driving Standards Test through <a href="#">approved suppliers</a> .
English Comprehension	A basic understanding of written and spoken English is required in Bradford’s <a href="#">Licence Standards &amp; Procedures and Vehicle Licence Conditions</a> . Bradford check literacy standards by assessing conversational English during their appointment by asking basic questions, and written English and numeracy by completing a journey receipt	DfT guidance advises that authorities may wish to consider whether an applicant would have any problems in communicating with customers because of language difficulties. Many authorities are now using an English comprehension test. Local authorities have the freedom to specify the level of proficiency, but it is recommended to cover both oral and written language skills, and to include the following:	Leeds tests all applicants to ESOL level 2 standards for English comprehension. If any applicant fails to meet the standard, there is a referral programme to free English literacy courses. The policy is explained in our <a href="#">Guide to Obtaining a Licence</a> on our website.

Policy	Overview and Clarity	Comprehensive and Reasonable in Comparison with Established Best Practice	Comparison to Leeds
		<ul style="list-style-type: none"> <li>• Conversing with passengers to demonstrate an understanding of the desired destination, an estimation of the time taken to get there and other common passenger requests;</li> <li>• Providing a customer with correct change from a note or notes of higher value than the given fare, and doing so with relative simplicity;</li> <li>• Providing a legibly written receipt upon request</li> </ul>	
Driver Training	<p>Included in Stage 2 of Bradford's <a href="#">application process</a>.</p> <p>Bradford provide training on Vehicle safety, licensing conditions, customer care &amp; personal safety, disability awareness and equality, safeguarding and CSE, human trafficking and modern slavery. Full details are explored in the Training Delivery section later in this report.</p> <p>Driver Refresher Training is delivered every 3 years.</p> <p>Vehicle Checks Training includes a very useful <a href="#">link to RoSPA video</a> on website.</p>	<p>DfT guidance recommends that Driver training can cover customer care, including how best to meet the needs of people with disabilities and other sections of the community.</p> <p>DfT guidance suggests authorities should consider driver training topics such as the relevant legislation, road safety, the use of maps and GPS, the handling of emergencies, and how to defuse difficult situations and manage conflict.</p> <p>It is good practice for licensing authorities to provide safeguarding advice, guidance and training to drivers and operators. This is often produced in conjunction with the police and other agencies.</p>	<p>Leeds requires all drivers to pass <a href="#">Customer Care</a>, disability awareness, <a href="#">Legislation</a>, Safeguarding and CSE training. The training is explained in our <a href="#">Guide to Obtaining a Licence</a> on our website.</p> <p>Leeds does not require Vehicle Checks training.</p>

Policy	Overview and Clarity	Comprehensive and Reasonable in Comparison with Established Best Practice	Comparison to Leeds
Local Knowledge Test	<p>Included in Stage 2 of Bradford’s <a href="#">application process</a>.</p> <p>Bradford has a multiple choice test that focuses on key places, locations and landmarks within the Bradford District. Concentrates on locations of local hotels, restaurants, parks and historical buildings. It is the same test for both HC and PH applicants.</p>	<p>Dft guidance states HC drivers need a good working knowledge of the area for which they are licensed, because taxis can be hired immediately, directly with the driver, at ranks or on the street. Most licensing authorities require HC applicants to pass a test of local topographical knowledge as a pre-requisite to the first grant of a licence. However, PHVs are not legally available for immediate hiring in the same way as taxis. To hire a PHV the passenger has to go through an operator, so the driver will have an opportunity to check the details of a route before starting a journey. DfT advises it may be unnecessarily burdensome to require a PH driver applicant to pass the same ‘knowledge’ test as a taxi driver, though it may be thought appropriate to test candidates’ ability to read a map and their knowledge of key places such as main roads and railway stations.</p>	<p>Leeds has a full “<a href="#">Knowledge Test</a>” for HC applicants including identifying shortest routes and geographical knowledge; and a “<a href="#">Key Locations</a>” test for PH applicants using the A-Z of Leeds.</p>
Convictions Criteria	<p>Clearly set out at start of <a href="#">application process</a> for all applicants.</p> <p>Bradford’s <a href="#">Convictions Criteria</a> clearly sets out the types of convictions that are considered during the application process and how they will be evaluated.</p> <p>Bradford have recognised that their policy also needs to clarify their approach to</p>	<p>DfT guidance advises that in considering an individual’s criminal record, authorities will want to consider each case on its merits, but they should take a particularly cautious view of any offences involving violence, and especially sexual attack. In order to achieve consistency, and thus avoid the risk of successful legal challenge, local authorities</p>	<p>Very similar <a href="#">Convictions Criteria policy</a> in Leeds.</p> <p>Leeds is also in the process of updating their policy to clarify approach to protected cautions and convictions.</p>

Policy	Overview and Clarity	Comprehensive and Reasonable in Comparison with Established Best Practice	Comparison to Leeds
	protected cautions and convictions.	<p>will doubtless want to have a clear policy for the consideration of criminal records, for example the number of years they will require to have elapsed since the commission of particular kinds of offences before they will grant a licence.</p> <p>This approach to evaluating convictions is considered to be best practice by LGA.</p>	
DBS Checks	<p>Included in Stage 1 (Step 4) of Bradford’s <a href="#">application process</a></p> <p>Bradford uses the <a href="#">DBS Online Update Service</a> to check driver convictions on first application and at renewal every three years. When their new IT system is in place, they intend to increase the frequency of online DBS checks to annual.</p> <p>For EU or non-EU applicants Bradford assesses on a case by case basis. There is no separate policy due to low numbers of applicants from these areas.</p>	<p>Licensing authorities are entitled to request an enhanced level DBS check for individuals applying for HC and PH licences, and to be given suitability information (whether they are in one or both barred lists) in relation to children and adults. An enhanced DBS check will include details of spent and unspent convictions, cautions reprimands and final warnings; information held on the DBS’s lists of those barred from working with children and adults; and any additional information held by local police that is reasonably considered relevant to the role being applied for and ought to be disclosed. DfT guidance considers it best practice for enhanced DBS disclosures to be sought when a licence is first applied for and then every three years, even if a licence is renewed annually, provided drivers are obliged to report all new convictions and cautions to the licensing authority.</p>	<p>Leeds uses the <a href="#">DBS Online Update Service</a> and conducts annual checks on all drivers. A <a href="#">guidance document</a> is available on the website.</p> <p>Leeds has a separate <a href="#">vetting policy</a> in place for assessment for UK citizens, UK citizens with limited residency, Non UK–EU citizens, Non-EU citizens, and asylum seekers/refugees who are applicants.</p>



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		<p>If an applicant has only recently been granted leave to remain in the UK or leave to enter, obtaining the same sort of credible information can be difficult and even more difficult to verify, especially when it originates from a non-EU country.</p> <p>A non-UK but EU citizen may have some criminal records history in their own EU country but there are significant differences between EU member states where there are very rudimentary systems as opposed to established EU member states who may have an equivalent of the DBS, just operating in a different way.</p>	
Medical Fitness	<p>Included in Stage 1 (Step 3) of Bradford's <a href="#">application procedure</a>.</p> <p>Bradford uses their own <a href="#">medical fitness check</a> but asks the same questions as the Group 2 medical along with an additional declaration of fitness from the applicant's GP.</p>	<p>It is common for licensing authorities to apply the Group 2 medical standards (applied by DVLA to the licensing of lorry and bus drivers) to HC and PH drivers. DfT recommend this as best practice.</p>	<p>Leeds uses the <a href="#">Group 2 standard</a> to assess medical fitness of drivers</p>
<b>Licence Conditions</b>			
Private Hire Driver	<p>Set out very clearly in Bradford's <a href="#">Licence Standards &amp; Procedures and Vehicle Licence Conditions</a>.</p>	<p>All authorities must have PH driver conditions set out</p>	<p>Similar to Leeds' <a href="#">PH Driver Conditions</a>, no major differences.</p>
Hackney Carriage Vehicle (inc.	<p>Set out very clearly in Bradford's <a href="#">Licence Standards &amp; Procedures and Vehicle Licence</a></p>	<p>The legislation gives local authorities a wide range of discretion over the types of vehicle</p>	<p>In the main Leeds' <a href="#">HC conditions</a> and <a href="#">HC WAV conditions</a> are comparable with</p>

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Wheelchair Accessible Vehicles (WAVs), signs and markings & Vehicle Age Criteria)	<p><a href="#">Conditions</a>.</p> <p>Bradford tests all vehicles as part of the annual licence renewal. Before a vehicle licence can be renewed it must pass an in-house vehicle inspection. Random testing is in place for vehicles over 6 years.</p> <p>Bradford <a href="#">Vehicle Age Criteria</a> is less than ten years for non-WAVs on first application and renewal; and less than twelve years for WAVs on renewal.</p>	<p>that they can license as taxis. Some authorities specify conditions that in practice can only be met by purpose-built vehicles but the majority license a range of vehicles.</p> <p>Normally, the best practice is for local licensing authorities to adopt the principle of specifying as many different types of vehicle as possible. Indeed, local authorities might usefully set down a range of general criteria, leaving it open to the taxi and PHV trades to put forward vehicles of their own choice which can be shown to meet those criteria. In that way there can be flexibility for new vehicle types to be readily taken into account.</p> <p>It is perfectly possible for an older vehicle to be in good condition. So the setting of an age limit beyond which a local authority will not license vehicles may be arbitrary and inappropriate. But a greater frequency of testing may be appropriate for older vehicles - for example, twice-yearly tests for vehicles more than five years old.</p>	<p>Bradford.</p> <p>The one major difference between Conditions is the Vehicle Age Criteria – In Leeds HC WAVs should be less than one year on first application and less than eight years on renewal, vehicles over eight years can apply for an <a href="#">exemption</a> if they meet the requirements to continue to be licensed. Leeds HC saloon vehicles should be less than five years on first application and less than seven years on renewal, vehicles over seven years can apply for an <a href="#">exemption</a> if they meet the requirements to continue to be licensed.</p>
Vehicle Age Criteria – 5/6/7 seat Vehicles	<p>Set out very clearly in Bradford’s <a href="#">Licence Standards &amp; Procedures and Vehicle Licence Conditions</a></p> <p>Bradford has the same <a href="#">age criteria</a> for all HC and PHVs regardless of number of seats.</p>	<p>It is perfectly possible for an older vehicle to be in good condition. So the setting of an age limit beyond which a local authority will not license vehicles may be arbitrary and inappropriate. But a greater frequency of testing may be appropriate for older</p>	<p>Leeds has a specific policy for <a href="#">Age Criteria for 5/6/7-seater HC &amp; PH WAVs</a>:</p> <ul style="list-style-type: none"> <li>the age criteria for all 5/6/7 seater WAVs is 12 years from the date of first registration.</li> </ul>

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	<p>Bradford specify access to every seat must be unobstructed and be easily accessible to all passengers and without the need to tip forward, fold or remove seats when the vehicle is fully occupied.</p>	<p>vehicles - for example, twice-yearly tests for vehicles more than five years old.</p>	<ul style="list-style-type: none"> <li>For WAVs between years 10 and 12 of the licence, those vehicles must be formally inspected at least twice per year by the Council.</li> </ul> <p>Leeds also specifies a clear exit route from the third row of seats, specifying that when the middle seat is tipped it must allow 300mm exit space to the side door. Clear instructions must be given for passengers to operate the tipping of the middle row seat.</p>
<p>Private Hire Vehicle (inc. Wheelchair Accessible Vehicles, Vehicle Age Criteria &amp; Livery, Signs and Markings)</p>	<p>Set out very clearly in Bradford’s <a href="#">Licence Standards &amp; Procedures and Vehicle Licence Conditions</a>. Bradford has the same <a href="#">age criteria</a> for all HC and PHVs.</p>	<p>The legislation gives local authorities a wide range of discretion over the types of vehicle that they can license as PHVs. Some authorities specify conditions that in practice can only be met by purpose-built vehicles but the majority license a range of vehicles. Normally, the best practice is for local licensing authorities to adopt the principle of specifying as many different types of vehicle as possible. Indeed, local authorities might usefully set down a range of general criteria, leaving it open to the taxi and PHV trades to put forward vehicles of their own choice which can be shown to meet those criteria. In that way there can be flexibility for new vehicle types to be readily taken into account. It is perfectly possible for an older vehicle to be in good condition. So the setting of an</p>	<p>In the main Leeds’ <a href="#">PHV conditions</a> and <a href="#">PH WAV conditions</a> are comparable with Bradford. The one major difference between Conditions is the Vehicle Age Criteria – In Leeds PHVs should be less than five years on first application and less than seven years on renewal, vehicles over seven years can apply for <a href="#">an exemption</a> if they meet the requirements to continue to be licensed. Leeds PH WAVs should be less than one year on first application and less than eight years on renewal, vehicles over eight years can apply for an <a href="#">exemption</a> if they meet the requirements to continue to be licensed.</p>

Policy	Overview and Clarity	Comprehensive and Reasonable in Comparison with Established Best Practice	Comparison to Leeds
		age limit beyond which a local authority will not license vehicles may be arbitrary and inappropriate. But a greater frequency of testing may be appropriate for older vehicles - for example, twice-yearly tests for vehicles more than five years old.	
Private Hire Operator	<p>Set out very clearly in Bradford's <a href="#">Licence Standards &amp; Procedures and Vehicle Licence Conditions</a>.</p> <p>All PHOs in Bradford have an option to use paper or computerised booking systems. Bradford also conduct <a href="#">base checks</a> which the PHO must pass before the renewal of their licence.</p>	The objective in licensing PHOs is always the safety of the public, who will be using operators' premises and vehicles and drivers arranged through them. It is best practice for conditions to cover regular DBS checks for operators, booking record keeping and insuring public liability insurance for operator bases.	<p>Leeds' <a href="#">PHO Conditions</a> are comparable with Bradford.</p> <p>The one major difference is Booking Records – In Leeds PHOs with 10 cars or more are required to maintain computerised booking records, PHOs with 20 cars or more are required to operate a computerised booking and dispatch system.</p> <p>Leeds conducts random PHO base inspections.</p>
Private Hire Vehicle Proprietors (inc. rental companies)	Set out very clearly in Bradford's <a href="#">Licence Standards &amp; Procedures and Vehicle Licence Conditions</a> .	A lot of PHOs have established fleets of vehicles for onward rental to drivers. Some hire companies also licence vehicles for rental to drivers whose own PH vehicle is under repair.	Similar to Leeds, no major differences.
Hackney Carriage Proprietors	Set out very clearly in Bradford's <a href="#">Licence Standards &amp; Procedures and Vehicle Licence Conditions</a>		Similar to Leeds, no major differences.
Executive Private Hire	Due to low numbers, Bradford grant exemptions to existing PH driver conditions for Executive Private Hire licences	This is a relatively new area of licensing which is picking up in some of the larger authorities where PHOs are looking to	Leeds has separate conditions for Executive Private Hire <a href="#">Drivers</a> , <a href="#">Vehicles</a> and <a href="#">Operators</a> .

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		<p>provide a more bespoke and executive service to clients which is superior to traditional PH services.</p> <p>Common requests are for livery to be minimised and window tints to be permitted. Local authorities should consider the safety aspects of licensing these type of vehicles and whether a minimum value or type of vehicle should be set, so that vehicles used are from the higher end of the market and PHOs cannot exploit conditions for executive hire for common private hire use. A clear distinction is required.</p>	
Stretched Limousine Private Hire	Bradford has a <a href="#">Stretched Limousine Private Hire policy</a> although none are licensed at present	Licensing authorities are sometimes asked to license stretched limousines as PHVs. DfT have suggested that local authorities should approach such requests on the basis that these vehicles (where they have fewer than nine passenger seats) have a legitimate role to play in the private hire trade, meeting a public demand. Indeed, the DfT's view is that it is not a legitimate course of action for licensing authorities to adopt policies that exclude limousines as a matter of principle and that any authorities which do adopt such practices are leaving themselves open to legal challenge. A policy of excluding limousines creates an unacceptable risk to	Leeds has separate conditions for Stretched Limousine Private Hire Drivers, Vehicles and Operators

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		<p>the travelling public, as it would inevitably lead to higher levels of unlawful operation. Public safety considerations are best supported by policies that allow respectable, safe operators to obtain licences on the same basis as other private hire vehicle operators. The DVSA has issued <a href="#">guidance on the licensing arrangements for stretched limousines</a>.</p>	
<p>Novelty Hackney Carriage or Private Hire</p>	<p>Bradford currently working on a non-standard vehicle specification for a horse and cart HC service, but have no other novelty licences.</p>	<p>Licensing authorities receive requests to licence non-standard (or novelty) vehicles as hackney carriage or private hire vehicles. Examples include motorbikes, trikes, pedicabs, rickshaws, horse &amp; cart, small road trains, converted fire engines, converted military vehicles – the list is endless and only limited by an applicant’s imagination. Clearly the ability to hire a novelty vehicle can be a great attraction for authorities who wish to boost their tourist trade and attract people into their city. Pedicabs and rickshaws are commonly seen in seaside resorts and are a traditional form of transport along the promenade. Authorities will need to carefully consider the safety of these novelty vehicles and licence them by way of exemption to their current conditions where it is reasonable and safe to do so. It may be more appropriate for an authority to consider</p>	<p>Leeds has separate conditions for Novelty (Trike) Private Hire Drivers, Vehicles and Operators.</p> <p>Separate conditions for other novelty services will be considered on application and approved by Leeds’ Licensing Committee before grant.</p>

Policy	Overview and Clarity	Comprehensive and Reasonable in Comparison with Established Best Practice	Comparison to Leeds
		<p>separate conditions for each type of novelty vehicle they licence.</p> <p>The Senior Traffic Commissioner has issued <a href="#">Statutory Guidance for Novelty Vehicles</a>.</p>	
<b>General</b>			
Medical Exemptions	<p>Medical Exemptions for loading wheelchairs and carriage of assistance dogs is set out very clearly in Bradford's <a href="#">Licence Standards &amp; Procedures and Vehicle Licence Conditions</a>.</p>	<p>Section 166 of the Equality Act allows licensing authorities to exempt drivers from the duties to assist passengers in wheelchairs if they are satisfied that it is appropriate to do so on medical grounds or because the driver's physical condition makes it impossible or unreasonably difficult for them to comply with the duties. Also should consider for carriage of assistance dogs.</p> <p>From 6 April 2017 drivers of WAVs must comply with the requirements of Section 165 of the Equality Act 2010, unless they have been issued with an exemption certificate.</p>	<p>Leeds also has full <a href="#">Medical Exemptions policy</a> in place for loading wheelchairs and carriage of assistance dogs. No significant differences.</p>
Plying for Hire	<p>Bradford assess each offence on a case by case basis, more severe sanction for repeat offenders. There is no specific policy, this is part of the approach to enforcement.</p>	<p>Plying for hire is, of course, illegal. Most authorities have developed a policy for how they will deal with such offences. Usually the hackney carriage trade press for such a policy where there is a prevalence of plying for hire in an authority's area.</p>	<p>Leeds has a well-developed <a href="#">plying for hire policy</a>: -</p> <ul style="list-style-type: none"> <li>Where a licensed driver is found to be plying for hire, with evidence which supports a criminal prosecution, or Home Office Caution, that the driver will normally be suspended and immediate consideration given to the revocation of</li> </ul>

Policy	Overview and Clarity	Comprehensive and Reasonable in Comparison with Established Best Practice	Comparison to Leeds
			<p>the licence;</p> <ul style="list-style-type: none"> <li>• Where a driver’s licence has been successfully revoked or not renewed, that driver will, normally, not be granted a further licence by this Council for one year;</li> <li>• Where there is an existing conviction or formal Home Office Caution for this type of offence, wherever it occurred, when an application for a new licence is received, the applicant will normally not be granted a licence for a year following the date of conviction or caution;</li> <li>• In the event of a second such incident, the driver or applicant would not normally have a licence granted for four years following the date of conviction or caution; and</li> <li>• In every instance however, each case would be considered on its own merits.</li> </ul>
<p>Immediate Suspensions</p>	<p>Set out in great detail at the back of Bradford’s <a href="#">Licence Standards &amp; Procedures and Vehicle Licence Conditions</a> for immediate suspensions.</p> <p>There is no specific policy, this is part of Bradford’s approach to enforcement.</p>	<p>Where an allegation or information is received about a licensed driver, and is of such a nature that a real and reasonable concern is raised in terms of public safety or crime and disorder about the suitability of a licensed driver to continue to hold a Local Authority driver licence for the time being, then consideration should be given to the immediate suspension of that licence.</p>	<p>Leeds has a separate policy for Immediate Suspensions. Immediate suspension is imposed in the following circumstances:-</p> <ul style="list-style-type: none"> <li>• committed a serious offence;</li> <li>• alleged to have committed a serious offence;</li> <li>• in breach of the requirements placed upon that type of licence within primary</li> </ul>



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			<p>legislation</p> <ul style="list-style-type: none"> <li>• in conflict with a significant part of the Council’s safety policy; or</li> <li>• where there is intelligence provided which raises a significant concern and it is necessary to immediately remove that potential risk.</li> </ul>
Three Year Driver Licences	<p>Set out very clearly in Bradford’s <a href="#">Licence Standards &amp; Procedures and Vehicle Licence Conditions</a>.</p> <p>In Bradford a Driver Licence remains in force for a maximum period of three years unless the Council specifies a shorter period licence or if the licence is suspended or revoked before it expires.</p>	<p>Section 53 of the Local Government (Miscellaneous Provisions) Act 1976 specifies that a driver’s licence may remain in force for three years or for a lesser period as specified by the local authority.</p> <p>Section 10 of the Deregulation Act 2015, which came into effect on 1 October 2015, set a standard length for all taxi and PHV driver licences at three years. Licences can only be issued for shorter durations where the licensing authority thinks it is appropriate in the particular circumstances of the case. Such circumstances could include where the licensing authority considers that a probationary period is necessary or where the driver’s leave to remain in the UK is time-limited.</p>	<p>The <a href="#">Three Year Driver Licence policy</a> in Leeds allows drivers to choose whether to apply for a either a one year licence or three year licence providing they have achieved five years continuous good service.</p>
Commercial Advertising	<p>The <a href="#">Commercial Advertising policy</a> is clearly set out on Bradford’s webpage.</p> <p>Bradford allows advertising on both HC and PH vehicles.</p>	<p>Advertising on vehicles is always welcomed by the trade as an opportunity for additional income and to help offset the cost of replacing a vehicle.</p>	<p>Main difference is that advertising is not allowed on PHVs in Leeds, otherwise similar to Leeds’ <a href="#">Corporate Advertising Policy</a> in all other respects</p>



## Decision Making and Enforcement

Dft guidance advises it is for individual licensing authorities to reach their own decisions both on overall policies and on individual licensing matters, in the light the relevant law and any other relevant considerations. Any decisions made by a local authority remain a matter for that authority. The [Local Government Association's Councillors' Handbook on taxi and private hire vehicle licensing](#) advises that those responsible for licensing communicate regularly with counterparts in neighbouring councils to ensure critical information is shared and that there is a consistency and robustness in decision-making. By working together, local government can make sure that this vital service is safe, respected, and delivering for local communities.

Decision-making in respect of individual cases, whether applications for licences or where matters are brought to the attention of the council following the grant of a licence (for example breach of conditions, convictions, driving endorsements, etc), are often made by a regulatory/licensing subcommittee or officers with delegated powers. Decision makers are quasi-judicial and therefore must follow the rules of natural justice – anyone affected by a decision has a right to be heard and no one should be a judge in his own cause. All decisions should be made without ‘fear or favour,’ however difficult they may be.

There are a range of options available for decision makers including: -

- in the case of licence applications, to grant a licence, with or without conditions (but not for HC drivers);
- in the case of licence applications, to refuse a licence; or
- in the case of existing licences where matters are brought to the council’s attention, to either: -
  - do nothing;
  - suspend a licence;
  - introduce conditions on a PHV driver’s or operator’s licence; or
  - revoke a licence.

Decision making delegated to officers can be particularly effective, and is an important tool where a serious offence is committed and immediate action is needed without delaying matters unnecessarily by waiting for a licensing subcommittee to be arranged. All councils should consider having an appropriate delegation system in place for this.

Both applicants seeking new licences and the holders of existing licences will have the right of appeal to the local magistrates’ court if they are aggrieved by the decision of the council. In all cases full reasons must be given for a decision, whether a decision is taken to take any action or not. The decision letter is crucial here for documenting what was taken into consideration before a decision was taken and the reasoning behind the decision. People must reach the standard of a ‘fit and proper’ person with each case being dealt with on its own merits, normally with reference to an objective policy published by the council.

In doing so, decision makers must remember established case law which says “[Consideration of a licence] does not require any consideration of the personal circumstances, which are irrelevant, except perhaps in very rare cases to explain or excuse some conduct of the driver.”<sup>1</sup> The overriding consideration is the safety of the public which may, in some cases, outweigh the right of the applicant to hold or continue to hold a licence.

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<sup>1</sup> Leeds City Council v Hussain [2002] EWHC 1145 Admin, Siber J

## Driver Applications

A [flowchart](#) is used in the office to review application criteria. This is a good tool to ensure the council's application criteria is being assessed consistently and is also published on the council's website, so applicants can understand everything that will be taken into consideration.

An important part of the application process is to check whether the applicant has declared all their convictions as confirmed in the DBS check. This is then cross-referenced against the council's convictions criteria policy to see whether the applicant is in conflict with the criteria and a review is required in accordance with the flowchart.

In the case of a review, an officer would write to the applicant and invite them in for an interview. The applicant has the right to be accompanied (for support only). The burden is on the applicant to prove they are fit and proper to be granted a licence. The officer would look at everything that they bring in support of their application. An officer report is written up with a recommendation, which is reviewed by the Service Manager and a decision made. Sometimes there may be a request for further information so that the Service Manager has everything they need to make a fully informed decision. This approach follows the rules of natural justice in that anyone affected by a decision has a right to be heard and no one is a judge in their own cause.

More minor issues such as driver points are dealt with at senior officer level by way of a warning letter.

Magistrates hear appeals to officer decisions. However, if an officer is minded to grant outside council policy the matter goes before a panel of three Regulatory and Appeals Committee Members to ratify the decision. If Members are satisfied with the reasons to depart from policy, then the officer decision is taken as originally minded. If Members are not satisfied, then the officer changes their decision. This could create issues at the Magistrates appeal. The council may wish to take advice and check what powers Members have for this type of decision making where they direct an officer to change their decision in this manner. This could be interpreted as the Members making the decision, not the officer, and therefore it would be the Members who would need to appear at an appeal at Magistrates should that decision be challenged. I understand this process has been in place since 2004, with no issues so far.

## Vehicle Licences

Vehicle Inspectors carry out inspections on vehicles when they are first licensed and then at every renewal of the vehicle licence. Random vehicle checks carried out on vehicles of six years and older. Vehicle Inspectors have the delegated powers to suspend a vehicle licence where the vehicle has failed its vehicle inspection due to safety critical or serious mechanical defect.

Roadside inspections are also carried out by Enforcement Officers on vehicles at bases as well as at the kerbside. Enforcement Officers can suspend/VoR a vehicle and have the power to lift the suspension when the defect is rectified. Sometimes a VoR is lifted on the same night, if the vehicle proprietor can arrange rectification immediately. More serious defects would necessitate the vehicle being booked into Shearbridge Depot for the VoR to be lifted following inspection by Vehicle Examiners.

Very serious issues that would indicate neglect of a vehicle over a sustained period of time would be referred to a senior officer for a decision whether to revoke the vehicle licence or not.

## Other Decisions and Enforcement Action

Individual cases, where matters are brought to the attention of the officers following the grant of a licence (for example breach of conditions, convictions, driving endorsements, etc), are referred to an Enforcement Officer to investigate. After investigation, the officer submits a report with their recommendations to the Service Manager who will make the final decision.

Where the council is informed of a serious Safeguarding Issue by a passenger, officers ask the passenger to report the matter to the police initially. Officers liaise with the police to determine whether the police wish to investigate the matter first themselves, or whether council officers can investigate the matter alongside the police. The police would always have “primacy” of investigation in all cases and it is normal for a council to have to wait for a police investigation to be concluded before the council can conduct its own investigation. This reduces the possibility of a council investigation unintentionally harming a police investigation. In Bradford’s case, it is best practice to liaise with the police on such matters, as often the police will need access to licensing records as part of their investigation.

If the police decide they need to investigate the matter first, then Bradford takes a decision whether they need to suspend the driver’s licence whilst the police investigation is carried out. This is the correct procedure and mirrors the approach in Leeds to ensure public safety is maintained. Once the police have completed their investigation, a further investigation would then be conducted by a council Enforcement Officer talking to the complainant and interviewing the driver involved.

The Enforcement Officer prepares a report with the outcome of the investigation and recommendations for the Service Manager to decide what action should be taken regarding the licence. This decision is taken on the [balance of probabilities](#) regardless of whether the police decided to prosecute or not. It is entirely proper for the council to make its own determination on the balance of probabilities even if the police were unable to make a decision beyond reasonable doubt. In many cases the council will be able to make a well-informed decision on the balance of probabilities and in the interests of public safety where the police were unable to take any further action themselves.

## Conclusions

Unsurprisingly, there is relatively little difference between Bradford’s and Leeds’ policies and conditions. The main areas of difference are explored in Table 2. All policies are consistently applied ensuring that every case is considered on its own merits so the policy does not fetter the decision maker’s discretion. Decisions have been taken outside policy where it is fair and appropriate to do so after consideration of the facts of the matter. This is the correct approach to licensing policy application and decision making.

The decision by Bradford to issue the Licence Standards & Procedures and Vehicle Licence Conditions document as an electronic reference tool on its website makes good sense. Clearly attempting to keep the paper based version of the document up to date at all times is a huge resource drain and costly. It would be reasonable to expect that in this day and age the majority of licence holders would have access to a smartphone, tablet or pc; however, as we will see later in the report, a number of the trade representatives say that a lot of the trade have difficulty using electronic equipment, especially email and responding to internet consultations. This would suggest that the trade are not as e-literate as you would expect. The Conditions document is a valuable resource with all relevant policies and conditions in one place so a careful decision needs to be made regarding its future. **Recommendation 1: The service needs to review the future use of its**

**Conditions Booklet carefully as there is evidence to suggest that parts of the trade would have difficulty accessing and using an electronic version online.**

As the Convictions Criteria of both authorities is very similar, both have noticed a need to clarify their approach to protected cautions and convictions. As both ask for details of all convictions and cautions on their application forms, there is a danger that an applicant could disclose a protected conviction or caution unintentionally, and that would not be realised until the DBS was returned. Protected cautions and convictions cannot be considered during the fit and proper test to be granted a licence. Both authorities need to state that any protected convictions or cautions inadvertently disclosed will not be considered as part of the decision-making process.

**Recommendation 2: The service needs to clarify its approach to protected cautions and convictions during the fit and proper test for applicants.**

Decisions are made in both authorities by officers with properly delegated powers. The process in Bradford is slightly different in that if an officer is minded to grant outside council policy the matter is referred a panel of three Regulatory and Appeals Committee Members to ratify the decision. If Members are satisfied with the officer's reasons to depart from policy, then the officer decision is taken as originally minded. If Members are not satisfied, then the officer changes their decision. This could create issues at an appeal at Magistrates. If an officer is being directed to change their original decision in this way, it could be interpreted that the decision maker is the panel of three Regulatory and Appeals Committee Members. Members may need to appear at an appeal at Magistrates should that decision be challenged. The council may wish to take further legal advice on this. **Recommendation 3: The council needs to review its decision making where a Members' Panel directs an officer to change a decision they are minded to take.**

The ability for Enforcement Officers to suspend/VoR a vehicle and have the power to lift the suspension when the defect is rectified clearly shows good customer service and an understanding of the needs of the trade. Sometimes a VoR is lifted on the same night, if the vehicle proprietor can arrange rectification immediately. This enables the licence holder to continue to earn with the absolute minimum of disruption which is very positive for the trade.

In very serious matters that require police intervention and investigation it is good practice to liaise with the police as Bradford do to ensure the police have primacy in any investigation. Bradford properly maintain public safety by considering whether the driver needs to be suspended whilst any police investigation is carried out.

The service manager is currently reviewing the staffing structure for the service as the number of applications for new licences continue to increase. There is a need to ensure there is sufficient resource at the right level to make licensing decisions given the increased volumes of licence holders. I have supplied the current staffing structure at Leeds to assist with the review process. A licensing authority must ensure that it has enough decision makers at the correct grade for the volume of licences it administers, and allow for each decision to be reviewed correctly to ensure no officer is a judge in his own cause. **Recommendation 4: The service needs to complete the review of its staffing structure to ensure there are sufficient resources at the correct level for decision-making.**

## Section 2

# Driver/Operator Engagement

The Review was asked to focus on whether the arrangements for engagement with drivers and operators fit for purpose, covering the following points: -

- Openness – range and extent of representation (with particular reference to driver engagement);
- Transparency – appropriate recording and communication; and
- Timeliness – frequency.

Dft guidance agrees it is good practice for local authorities to consult on any significant proposed changes in licensing rules. Such consultation should include not only the taxi and PHV trades but also groups likely to be the trades' customers. Examples are groups representing disabled people, Chambers of Commerce, organisations with a wider transport interest (e.g. the Campaign for Better Transport and other transport providers), women's groups, local traders, and the local multi-agency safeguarding arrangements.

Modern methods of consultation with the trade would include making use of the council's website, email, twitter and a host of social media tools. Whilst it is important to embrace modern technology, it is also important to remember that a proportion of the trade may not have easy access or understanding of more modern methods of consultation, and other more traditional methods of communication may be more appropriate. Common practice is for councils to use a range of methods for consulting and engaging with the trade.

### Web Pages

Bradford has a very good set of [web pages](#), with information on licensing set out in an easy to use format. The web pages include details on the council's policies, opening hours, fees, application procedure, contact details, compliments/complaints (for service and trade), conditions, FAQs, minutes of trade meetings, reps contact details, processes, etc. Everything you would expect to find is there.

The web pages also feature extremely useful [flowcharts](#) (which are currently being updated to reflect recent changes) to clearly show all processes for licence holders including what's required at each stage and links to more info elsewhere on the website.

### Policy Engagement / Consultation

Trade meetings are used to begin engagement or consultation on licensing policies. Trade meetings are held quarterly and there are separate meetings for [HC representatives](#) and [PH Operators](#). PH Operators are expected to bring policy proposals to their drivers' attention and raise issues on their behalf. Policy proposals are explained at trade meetings with the reasoning behind the proposals. Initial comments are invited from the trade and these are minuted. The minutes from the meeting are circulated within a week of the meeting and the trade are given a further two to four weeks to provide further feedback in writing to the service's generic email.

The proposals are discussed again at the following trade meeting, focussing on the feedback received and any changes that have been made to the proposals as a result of that feedback. The final version for formal engagement or consultation, as appropriate, is agreed at this meeting.

A web-based consultation tool, SnapSurvey, is used for the formal engagement / consultation stage. All of the trade are invited to respond to the survey using SnapSurvey. This stage of the engagement usually lasts a month, but the service has extended that time on request from the trade. Reminders are sent out by email to all licence holders.

When the trade use SnapSurvey it asks them for basic log on details (name, licence number, etc). SnapSurvey then asks a series of simple questions and records the user's answers. However, the service has experienced poor response rates with just 126 out of 7,000 licence holders responding to the last survey, and the survey before that only achieved 30 responses. The service has recognised that it needs to do more to engage with licence holders and intends to start visiting bases on a face-to-face basis to spread word about consultations and not rely on emails so much. The service also recognises that some licence holders may have ICT issues and not able to use PCs/laptops to respond to surveys online. The service intends to support these people by showing them how to use survey so they are more comfortable with it.

All responses made through SnapSurvey are collated into one document, and summarised into feedback received from drivers, operators and vehicle proprietors. The results go back to the next trade meeting for a further discussion. As with all surveys, the service has received other comments irrelevant to the subject being consulted on. In these circumstances the service goes back to individual to explain the engagement / consultation process and try to get relevant feedback from them. They also respond to the irrelevant comments separately for the individual.

The next stage is to take the engagement/consultation feedback document and draft policy to Regulatory and Appeals Committee. The Committee Members review officer recommendations taking account of all the feedback received and make a decision on the final version of policy. Then policy is implemented in accordance with the timetable agreed by Regulatory and Appeals Committee and policy changes are communicated to the trade.

Trade meetings are used to confirm the outcome of Regulatory and Appeals Committee. Policy changes are published on the news banner at the top of the council's licensing webpages. This is a very visual and effective way of communicating the latest policy changes. In addition there is a condition for all PH Operators and HC Proprietors to visit the website at least once every month. Currently there is no condition which says drivers must visit the webpage. This is something that the service has discussed about taking to a future committee and therefore will start the engagement period on that at a suitable time.

#### Driver Engagement / Consultation

In the past there were up to four PH Driver reps, and [separate quarterly meetings](#) were held with these reps alongside the other trade meetings. Unfortunately over time the PH Driver reps have fallen away, and now there is only one driver rep who is also a PH Operator, who attends the PH Operators' trade meetings. There is no longer a requirement for a separate PH Drivers meeting.

PH Operators and HC representatives are expected to bring engagement/consultations to their drivers' attention.



## General Engagement, Consultation and Communication

If a service change is known in advance the council informs the trade through the trade meetings. If the change is more urgent (e.g. a service shutdown due to ICT issues) then emails are sent to HC reps and PH Operators with a request for them to inform their drivers.

All of the trade can use the generic email for queries whenever they need to without waiting for a trade meeting. The one generic email address ([taxi.testing@bradford.gov.uk](mailto:taxi.testing@bradford.gov.uk)) is promoted by the service to help monitor and manage emails coming in, although some of the trade still email officers directly which can create problems if that officer is on annual leave or sick.

The service has used seminars in the past as an effective method of consultation. A series of seminars were held in the Richard Dunn Sports Complex in 2012/13 to talk about conditions changes. This was before the service started using SnapSurvey. The wider trade including drivers were invited over a number of sessions. There was good attendance, with over 50% of trade believed to have attended.

Further seminars were arranged for CSE/Safeguarding training. These began in the autumn of 2015 when the service held a session for Operators. The sessions then continued into the winter of 2015 / early 2016 and was extended to include HC Proprietors and also the PH drivers. Up to 20 sessions were held in Bradford centre and Keighley to discuss CSE/Safeguarding. The sessions were taken by ex-Chief Inspector Nadeem Mir, Marian from Bernardos, and Mat Catlow the CSE Hub police officer in Bradford. Attendance at the seminar was mandatory for all licence holders so 100% attendance was achieved. An approved CSE module was introduced from January 2015 as part of the modular training course all drivers attend.

## Conclusions

The service uses their web pages to great effect for storing and publishing licensing information. It is a useful repository for the trade. It is easy to use to find and locate information and is separated into pages concentrating on vehicle issues, driver and operator issues, and more general licensing issues.

Clearly there are issues using SnapSurvey as an engagement/ consultation tool, and the service recognises this and is developing an action plan to address the limited response rates. Seminars have been used to great effect in the past and perhaps the service should consider re-introducing this approach to certain consultations as appropriate.

Direct engagement/consultation with drivers has always been difficult to achieve for licensing authorities. It is clear that a number of drivers are not comfortable with using modern technology so there is a risk they will not engage. Seminars have clearly had the best success rates for attendance and participation in the past, but are costly and time-consuming to arrange. Relying on HC associations and PH Operators to pass information onto drivers and provide feedback on their behalf will be hit and miss at best, depending on the association or operator.

The service's plans to help train Operators and HC Proprietors to be more comfortable using technology is a very interesting proposal. I can see a seminar style programme for this having some success, especially if a "live" policy consultation was used during the training, so people can see how their feedback using SnapSurvey is collated and used to shape the final agreed version of the policy. There may be an opportunity to link this training to a proper accredited IT certificate which would make attendance even more attractive to Operators and HC Proprietors, perhaps even accessing a

national grant to cover the costs of delivering the training. From the information later in this report it is clear that licence holders do not make effective use of email either, so perhaps this training can be extended to cover use of emails as well.

The quarterly trade forum meetings are used to good effect, and minutes to each meeting are published online for everyone. The trade forum meetings form the core of the engagement / consultation process and progress for this and introduction of new policies is reported through the trade forum meetings. This clearly shows the service making every effort to lead the trade through the engagement/consultation process and engage with them at every stage. The issues with the SnapSurvey tool have been discussed earlier in this report, but the trade forums meetings are also an excellent opportunity for the trade to make comment on, and influence policy at an early stage as it is being drafted and before it goes out to formal engagement/consultation. In this respect both face-to-face and online consultation is being carried out, clearly the service is using a range of methods to engage/consult with the trade. **Recommendation 5: The service needs to review its approach to engagement/consultation with the trade and develop a range of tools to improve response rates from the trade.**

## Section 3

# Customer Service

The Review was asked to focus on whether existing and prospective drivers/operators receive a good customer service, covering the following points: -

- Performance - responses times, perceptions;
- Premises – welcoming, maintained;
- Charging – appropriate, reasonable levels;
- Equalities – respect and fairness for all; and
- Complaints – fairly and speedily dealt with.

Good customer service means having a thorough knowledge of your business to answer customer queries, and experience with your services to help customers make the best choices for them.

Licensing can be a very difficult area to achieve high customer satisfaction. Of course customers should expect a good level of service with reasonable waiting times, convenient opening times and to be treated fairly and with respect. However, licensing is also a regulatory service where officers have to make difficult decisions that can have a very negative impact on a customer's life. It is difficult to see how a customer can remain totally satisfied with a service that is taking enforcement action against them, suspending or revoking their licence, or introducing new policies and conditions that means their costs will increase.

The Cabinet Office have done a study on [The Drivers of Satisfaction with Public Services](#). The study accepts there are inevitably going to be occasions when the public sector does not provide what the customer wants, or in cases of regulatory or enforcement services can actually provide a 'negative' outcome (from the customer's point of view). However, even in these situations, emphasis can be placed on the other components of "delivery" – keeping promises (which requires expectations of the outcome to be well managed at the outset), and dealing effectively with any problems that may arise. Following on from this, good performance on these drivers of satisfaction can also begin to make up for dissatisfaction with the final outcome. Even negative outcomes can be handled without wasting the customers' time, by friendly and polite staff who are competent at what they do and provide accurate and comprehensive information.

### Premises

The service is based at Shearbridge Depot as part of the council's Transport Services. Access to the licensing counter areas is up two flights of stairs. There is a lift available for people who are wheelchair users or struggle to use stairs through an alternative entrance.

Licence holders have a large waiting area with basic canteen facilities. There are four serving counters for transactions in a private area adjacent to the waiting area. The counters are open and welcoming. There is also a separate office area which deals specifically with the new applicant appointments. The transactions I observed were handled well by the staff, who were professional, pleasant and cheerful throughout.

A separate area houses the vehicle inspection facilities. There are two bays and appointments are made for vehicle inspections.

If appointment times are kept there should be no waiting time, but if there are delays some people can wait for a period of time. Table 3 shows average waiting times during August.

**Table 3: Waiting times for Customers during August 2017**

Week Commencing	Average Wait Time	Number of Customers
7 August	43:20	315
14 August	23:22	298
21 August	23:26	345

Appointments can last between 15 and 30 minutes so an average waiting time of 23 minutes is considered acceptable, however the service is working to improve on this. The service have introduced and encouraging the trade to: -

- Use the “drop in and collect” or “click and collect” vehicle renewal service;
- Email in and request an appointment for any service they require; and
- A ‘meet and greet’ service has been introduced which is used to assist and signpost customers when they arrive at the Reception Counter.

The Service did inform me that waiting times had been longer than above during a difficult migration period to the new IT system but times were now reducing.

#### Licensing Fees

Table 4 shows a comparison of hackney carriage and private hire licensing fees across the West Yorkshire and York region as at August 2017. It’s clear that the majority of Bradford’s fees are among the lowest in the region. Given Bradford’s size this demonstrates good value to the trade. I understand a review of Bradford’s fees may be required soon to ensure there is sufficient funding to support any changes to the service structure. The number of licences are steadily increasing and it is important to ensure that the correct level of resource is employed to administer this. It is good practice to regularly review staffing structures to ensure they are still fit for purpose.

The information in Table 4 was provided by Bradford from a benchmarking exercise they had undertaken.

**Table 4: Comparison of Licensing Fees across West Yorkshire and York (lowest fee underlined)**

Please Note: Additional costs such as Medical Test, Driver Standards Test and Statutory Declaration (verification of applicant) have not been included as these fees are administered by outside agencies.

	Bradford £	Calderdale £	Kirklees £	Leeds £	Wakefield £	York £
<b>Driver Licences</b>						
Driver Licence (1 year)	155.5	<u>148</u>	230.47	150	240	n/a
Driver Licence Renewal (1 year)	<u>81</u>	104	86	115	116	n/a
Driver Licence (3 year)	273.5	283	389.21	n/a	n/a	<u>263</u>
Driver Licence Renewal (3 year)	212	283	302	n/a	231	<u>174</u>
<b>Vehicle Licences</b>						
Vehicle Licence New	<u>165</u>	166	232.39	255	291	191
Vehicle Licence Renewal	165	166	179.24	<u>115</u>	267	153
Vehicle Licence New (over 6 years of age)	240	<u>166</u>	232.39	255	291	191
Vehicle Licence Renewal (over 6 years of age)	240	166	179.24	<u>115</u>	267	153
<b>Private Hire Operator Licences</b>						
Private Hire Operator 1 Year Licence (1 vehicle)	135	<u>95</u>	n/a	n/a	n/a	n/a
Private Hire Operator 1 Year Licence (2 vehicles)	n/a	175	<u>95</u>	n/a	n/a	n/a
Private Hire Operator 1 Year Licence (more than 2 vehicles)	<u>175</u>	231	287.5	400	228	n/a

	Bradford £	Calderdale £	Kirklees £	Leeds £	Wakefield £	York £
Private Hire Operator 5 Year Licence (1 vehicle)	607	372	n/a	n/a	n/a	<u>134</u>
Private Hire Operator 5 Year Licence (2 vehicles)	n/a	<u>453</u>	454	n/a	n/a	n/a
Private Hire Operator 5 Year Licence (more than 2 vehicles)	788	1,165	1,116	n/a	n/a	<u>423</u>

#### Training

Training Modules	30	n/a	n/a	n/a	<u>26</u>	n/a
Literacy & Numeracy (Communication Test)	n/a	30	n/a	<u>25</u>	n/a	n/a
Knowledge Test	n/a	n/a	n/a	50	26	<u>18</u>
Customer Care Course	n/a	n/a	n/a	<u>55</u>	n/a	n/a
Driver Seminar	n/a	n/a	n/a	<u>90</u>	n/a	n/a
Safeguarding	n/a	n/a	n/a	<u>10</u>	n/a	n/a

#### Other Fees

Administration Charge	n/a	n/a	n/a	<u>30</u>	70	31
Missed Appointments	n/a	n/a	n/a	<u>30</u>	78	n/a
DBS Check	44.5	<u>44</u>	56	70	<u>44</u>	<u>44</u>
Duplicate Badges for Private Hire & Hackney Drivers	13.5	n/a	10.5	<u>10</u>	23	10.5
Vehicle Plate - Replacement charge	19	<u>6</u>	16	15	46	28 -31
Wasted Test Fee/ Vehicle retest fee after road traffic	33	<u>30</u>	n/a	<u>30</u>	78	31

	Bradford £	Calderdale £	Kirklees £	Leeds £	Wakefield £	York £
accident (RTA)						

## Application Process

To apply for a licence, an applicant downloads a [registration form](#) from website which asks for basic details including an email address. The service initially experienced problems collecting email addresses but has now made this a mandatory requirement. The completed form is then submitted by email or by hand and the new applicant process then begins. It can currently take up to 4-6 weeks for a first appointment for a new application.

An email is sent to the applicant telling them all documentation they will need for their appointment. The service has found that 20% of scheduled appointments not being kept by applicants. Of the 80% who attended, 40% couldn't complete application due to wrong or incomplete information or they failed the English comprehension and literacy test. The service has noted that it is usually younger applicants who fail the English test. It takes up to three months for another appointment as new applicants are given priority due to the current demand.

The service has now introduced a pre-assessment to identify early problems with applicants before booking an appointment. This is carried out over the phone, where the officer asks a series of simple questions and can then assess whether the applicant will have difficulty meeting the English comprehension test. However, the service has a concern that some applicants may be asking partners or family members to take the call for them and by-passing this pre-assessment.

The English literacy test involves writing a receipt out, and the service has found applicants have difficulty with this aspect of the test as well, and has a concern that some applicants may be asking other members of the family to complete their application paperwork for them as well. The service has introduced a pre-registration form for new applicants with checklists for documentation. The service intends to build on this to include information and hints to make the process a bit more interesting and easier to understand.

The service is also considering asking for the application fee up front to encourage better attendance. They are hoping to use the new computer system to generate text messages to applicants to remind them about their appointments as well. WhatsApp can also be used to contact applicants.

The service understands that not everyone can use email easily and it is looking at other ways to share information by using other social media such as twitter and facebook. They are also looking at visiting Mosques to encourage recruitment of new drivers and help answer questions.

Other initiatives being introduced include a new "click and collect" service, where scanned copies of documentation can be submitted online and assessed; and a "drop and collect" service for people who do not have access to scanning facilities and would prefer to leave primary documentation for assessment. Once the scanned or primary documentation are assessed and in order, the licence can be collected.

Another option available for the applicant to save time involves the DBS check. If the applicant is confident their DBS check will meet the requirements of the convictions criteria policy, then can go ahead and book their training whilst they wait for the DBS to be returned.

Unfortunately the service does not have a system in place to monitor the time it takes for applications to be processed. They are intending to start monitoring this when the new licensing system is in place.



## Customer Satisfaction Monitoring

All counter staff and Enforcement Officers hand out laminated slips of paper to customers after every transaction. These “feedback cards” have the service’s email address for customers to provide feedback if they wish to.

It is estimated that 90% of feedback received is positive, but the service recognises that not everyone who has had a negative experience will provide feedback. Positive feedback is used to congratulate staff for a job well done.

The service currently does not analyse statistics for feedback returns to check how many cards have been issued, how many returned, the percentage satisfied, etc.

## Compliments and Complaints

The public can leave compliments and good stories about drivers on the council’s [webpage](#), and can phone/email as well. The service always pass on compliments to the driver and operator base when they can identify them. They also publish good news stories in their newsletter as long as driver involved agrees.

Compliments about the service can also be made [online](#) or by email/telephone and have been increasing in the last few months, which is good to see, and follows a push to ensure officers give out the feedback card after each transaction asking customers for good or bad feedback. Really good examples of praise are fed back to staff and discussed at team meetings. This also helps provide a good example to other team members. Service compliments are not collated corporately.

The public can also leave complaints about drivers [online](#), by phone and via email. Where it is minor driver behaviour issues we encourage the complainant to take the matter up with operator, but the service does liaise with operator on the complainant’s behalf if they do not want to do this themselves. More serious complaints are referred to enforcement who investigate and apply an appropriate sanction if required.

Complaints about the licensing service can be made [online](#) or by phone but are usually received via email. Complaints are mainly concerning council policy or officer decisions. The council’s corporate complaints unit manage the investigation and response to each complaint. Some “complaints” can be service enquiries or misunderstanding about policy rather than proper complaints about poor service and can be easily resolved.

A request was made to the corporate team for an analysis of the service complaints received including number at stage 1, stage 2, upheld, not upheld, time taken to respond and any Ombudsman referrals. Unfortunately the corporate team were unable to provide this information.

## Customer Interviews and Conclusion

Seven representatives were invited to give their opinion on the services provided by Bradford as part of the review. Three were Hackney Carriage trade association representatives, one a private hire trade association representative, two were private hire operators and one was a non-licensed person.

There was a lot of feedback from the trade which is summarised along the main themes of this report. Some of the feedback was contradictory with some saying the council's policies aren't strict enough, and others saying they're too strict. Some customers told me stories of how they had raised concerns with the council who listened to them and either amended policy or introduced new policy; and others told me stories of having to wait a long time for requested information. Another issue that needs to be considered is that a lot of the information the customers gave me was from a personal perspective based on very personal experiences, therefore not necessarily representative of the wider trade view.

This is not uncommon and completely expected of course. Many authorities have experienced conflict within the trade, and that isn't necessarily restricted to conflict between the HC and PH trade. HC associations regularly have disputes with other HC associations, and PH Operators have disputes with other PH Operators. It can be a very volatile traded environment and a licensing authority can have a very difficult time attempting to mediate trade disputes and respond to challenges against their own policies and behaviours.

That is not to say that the entire trade is constantly bickering with each other. Clearly there are a lot of professional HC and PH organisations that take great pride and care in the services they deliver to the public. A lot of drivers have professional NVQ and VRQ qualifications to support them in their profession, and it is not uncommon for HC representatives and PH Operators to be professionally qualified in fleet management, business management and a host of other disciplines.

Some small parts of the trade do appear to thrive on conflict and it can seem that whatever an authority does, parts of the trade will never be satisfied. It's important to remember that a licensing authority is in place to protect the travelling public and regulate the HC and PH trade so it is the safest environment possible. Authorities need to accept that the trade may not be satisfied with a policy it has recently introduced, but as long as the authority is satisfied the policy is in the best interests of safety of the travelling public then it has made the right decision. A licensing authority needs to engage properly with the trade in a meaningful and productive manner, but it is not there to service the business needs of the trade, and clearly the restrictions some of the trade feel licensing authorities are placing upon them have not restricted the business opportunities of Uber or other high profile national operators.

It is very good to see that the customers all agreed that the licensing staff and enforcement officers provided a good service and were polite and well-mannered at all times.

There was no suggestion of any racially motivated conduct by any officer. As I have said earlier in the report, all transactions and interactions I witnessed between the staff and the trade were conducted professionally, politely and with good humour.

There is a thread running through the customer comments that FoI and other requests or enquiries are not responded to in a timely manner. Legislation says FoI requests should be responded to within 20 working days, once the authority has received all the information it needs to be able to respond to the request. The Act allows an authority to ask for further information if the request is unclear or vague. The 20 working days deadline would then only start from when the authority had received the additional information. I saw details of all FoI requests the service had received from November 2016 to June 2017. Of the 13 FoI requests received, 9 had been replied to within the 20 day deadline, 3 were late by up to 5 working days, and 1 was replied to 3 months after the deadline. The FoI request that was replied to 3 months after the deadline was a request for details of the service's finances and spending. An apology was given to the person requesting the information. So the majority of FoI requests are replied to on time or shortly after the deadline, only one reply was

significantly delayed. This suggests that generally the service has a satisfactory response rate to FoI requests.

A lot of the customers have issues with the council's vehicle age criteria, some saying it's not strict enough and leading to poorer quality vehicles; and others saying it's too strict and needs to be relaxed more. There also appears to be a lot of confusion over exactly what the Vehicle Age Criteria requires with different customers giving different understandings of the policy. This is not unexpected of course, given Bradford has c7,000 licence holders there will always be a degree of misunderstanding of policy between one driver and the next. Comments that a more relaxed Vehicle Age Criteria leads to poorer vehicles need to be considered carefully. There is no evidence to suggest that high mileage or older vehicles fail inspection more than other vehicles. It is true that a HC or PH vehicle can clock up in excess of 100k miles per year, especially if it is on the street 24/7 and shared by a number of licensed drivers. The issue is the maintenance regime of the vehicle. A properly maintained vehicle can be licensed for a number of years. Many authorities recognise this by allowing exceptions to the vehicle age criteria for those vehicles which have been well maintained and in good condition so they can continue to be licensed. Bradford needs to gauge its Vehicle Age Criteria in response to the inspection records it holds for different types of vehicle. If more saloon vehicles are failing inspections more regularly after a certain age, or consistently developing critical faults, due to continued poor maintenance, then it is reasonable to set the Vehicle Age Criteria around those parameters to ensure public safety is not compromised.

Another common theme is the relocation of the public counter to the third floor of Shearbridge Depot, with many complaining there is no disabled access, just stairs. There is disabled access available of course. There is a lift available for customers or visitors who require it, but they would need to be escorted as the lift exits into the licensing area rather than the public area. Clearly a lot of the trade are unaware of the lift, so some suitable signage should resolve this issue. When arranging appointments, officers can check whether the customer will need to use the lift or are okay using the stairs. The greeter that the service has now employed could also be used in some way to assist customers who have difficulty using the stairs. **Recommendation 6: The service needs to signpost its disabled access at Shearbridge Depot better.**

Waiting times was also a very common thread with customers quoting anything up to three hours waiting to see someone at the counter. The service monitors waiting times and the information for August shows average waiting times between 23 and 43 minutes (see Table 3) which is acceptable considering August will be a period of high leave so the service will be short-staffed. Certainly the times are now nowhere near three hours and the service has previously publicised that waiting times had significantly increased due to the change in IT systems. The new drop off and collect service and making more use of appointments will help improve this. The greeter will be able to direct people to the correct place and help look after customers if they are waiting longer than normal, helping improve the experience. **Recommendation 7: The service needs to continue with its planned improvements to reduce waiting times and monitor the effect of the improvements to ensure average waiting times are decreased.**

Fees and charges featured significantly in the customer feedback, the majority stating that the fees Bradford charge are too high and should be lower. The fees comparison chart (see Table 4) gives a good impression of how the service compares to other authorities in West Yorkshire. It can be seen that Bradford is among the cheaper authorities but certainly not the most expensive. HC and PH licensing fees can only be set at cost recovery within a ring-fenced budget so any fees collected can only be used on the HC and PH service, they cannot be used to supplement any other council service. To demonstrate this, Bradford has produced detailed reports outlining the costs involved in each licensing process along with facilities and staff overheads. All surplus collected is held in a

suspense account for re-investment in the service or a licence fee reduction as required. With all this in mind, it is very difficult to support any suggestion that Bradford's fees and charging structure is excessive.

The application process in Bradford is straight forward and similar to other application processes in Leeds and other authorities. The flowcharts the service publishes on its website (currently being amended to reflect recent changes) are really excellent and a great tool for applicants to understand and follow the process. As reported elsewhere in this report, the service understands there can be issues with the trade using email or modern technology but has plans to address this and help support the trade. The proposed ICT seminar training will be particularly effective here.

**Recommendation 8: The service needs to complete its work to update the flowcharts and publish them online for customers' reference. Other pages on the website need to link to the appropriate flowchart as a visual aid for customers to help them understand processes better.**

It is a pity that the service currently does not have the ability to monitor the time taken for new applications to be licensed. Although there are a number of factors involved in the new application process, and some of them outside the service's control, it is always useful to be able to monitor how long applications take, and highlight any bottlenecks or delays in the process for improvement. I understand the new computer system will provide the ability to monitor the time taken to process new applications and other office processes so that is in hand. **Recommendation 9: The service needs to introduce a system to monitor the time taken to process new applications so it can identify areas for improvement in the process.**

The concerns that the service has about new applicants asking family members to complete forms and answer questions for them over the phone require genuine consideration. Part of the English comprehension tests involves how the applicant responds to simple questions over the telephone so if another family member is doing this on behalf of the applicant the test is being compromised. Certainly that would be exposed when the applicant comes in for his appointment and has difficulty answering further questions with an officer over the counter, but that could be valuable time wasted if the applicant will never be able to pass the English comprehension test. The service may wish to review how it conducts its English comprehension and literacy test accordingly and also discuss this with other West Yorkshire authorities to agree a common approach across the region.

**Recommendation 10: The service needs to review its approach to English comprehension and literacy training.**

The use of the customer feedback cards to allow customers to provide comments on their experience is an extremely useful tool. Passing good feedback onto the staff is an excellent way of building team spirit and pride in the service they are providing. Analysis of any poor feedback will help the service identify areas for improvement. It is a pity the service has no mechanism to monitor how many cards have been issued but the service certainly takes all the correct action on receipt on returned feedback.

## Section 4

# Training Delivery

The Review was asked to focus on whether existing and prospective drivers/operators receive good training, concentrating on the following points: -

- Quality – content and presentation;
- Range – sufficiency and adequacy of programme; and
- Value for money – fair prices/charges.

Some licensing authorities have already established training programmes and others are being developed. It is important to do this in consultation with the local HC and PH trades.

DfT guidance advises that training can cover a variety of topics: -

- customer care, including how best to meet the needs of people with disabilities and other sections of the community;
- safeguarding children and vulnerable adults, including specific awareness training to spot the signs of child abuse and knowing how to report any concerns so they are appropriately investigated;
- relevant legislation;
- road safety;
- the use of maps and route planning technology;
- the handling of emergencies; and
- how to defuse difficult situations and manage conflict.

Although vocational training courses or qualifications are not mandatory, it may be beneficial to encourage drivers to obtain one of the nationally-recognised vocational qualifications for the HC and PH trades. These qualifications are based on national occupational standards and will cover customer care, including how best to meet the needs of people with disabilities.

It is good practice for licensing authorities to provide safeguarding advice, guidance and training to HC and PH drivers and operators. This is often produced in conjunction with the police and other agencies. These programmes have been developed to help drivers and operators: -

- Provide a safe and suitable service to vulnerable passengers of all ages;
- Recognise what makes a person vulnerable; and
- Understand how to respond, including how to report safeguarding concerns and where to get advice.

### Training in Bradford

Bradford has established a modular training programme that includes the following: -

- Vehicle Checks and Safety;
- Licence Conditions and Compliance;
- Customer Care and Personal Safety; and
- Disability and Equality Awareness & CSE / Human Trafficking

Full training is given on all subjects on first application. The fee is £30 and the course takes 4 hours to complete. Bradford has a condition of licence which requires drivers to attend modular training

every three years. The content of the refresher module, i.e. for those who have previously attended the full module, has been reviewed to improve interaction and reduce time to 2 hours. This is currently being trialled. There is currently a 3 week waiting list at moment but this fluctuates and applicants can get on a course within a week at times.

Bradford introduced their training in January 2015 and up until the end of July a total of 3,866 drivers have received the training. 1,554 of these were new drivers where 1,495 have passed. 2,312 of these were existing drivers where 2,184 have passed.

There is an assessment after each module. Drivers have to achieve 75% in each assessment to complete the course. There are no questions where an incorrect answer will result in an automatic fail. There is a £15 fee to re-sit any module failed and they only need to attend the module they have failed in, not the entire course again.

Bradford carry out an evaluation after the course, asking drivers what they thought of the course content and the trainer who delivered the course.

- 97.5% rated the course content good or excellent; and
- 98.9% rated the course trainer as good or excellent.

WAV training for loading wheelchairs properly onto vehicles is carried out separately. Drivers are given a practical demonstration and then asked to repeat the procedure. No charge is made for existing HC drivers, new drivers are charged a £15 fee. There is a 100% pass rate, and the evaluation is 100% good or excellent on both content and trainer.

DSA driving test is provided through two approved suppliers. Drivers book the course directly with the providers online for a £50 fee. 48% pass on first attempt, 34% fail, and 18% pass on reassessment.

Knowledge test covers basic knowledge of the Bradford district. The cost is included in the £30 fee for the modular training, with £15 per re-sit. There are 40 questions which are randomly generated. 50% of the questions must be answered correctly to pass. Same test for HC and PH drivers.

### Training in Leeds

Leeds is currently reviewing the way it commissions, delivers and reviews the training for the taxi and private hire trade. At present the council has a set of six approved taxi and private hire courses, provided by a range of training providers set out in Table 5.

The training is predominantly for drivers, and particularly new applicants, of which there are around 1,000 a year. However, all drivers and operators have been required to attend Safeguarding training, and a small number of drivers and operators have been required to attend training as a restorative approach if they have been found to break the council's conditions. There is no requirement to attend regular refresher courses.

As explained earlier, Leeds is currently undertaking a [review of its training provision](#). The number of modules and different providers means that it can take months before drivers complete all modules, much longer if they need to re-sit any. The cost of the training is very high, costing drivers over £300. The Training Review is seeking to reduce the number of providers, the time taken to complete the course and the cost of providing the training. The Review will be completed by the end of 2017.

**Table 5: Leeds' Training Modules and Fees**

Course Module	Provider	Fee
Customer Care	Leeds City Council Fleet Services	£55
Driving Standards Assessment	A choice of 3 local providers	£78 to £86.40 depending on supplier chosen
Hackney Carriage Knowledge	Leeds City Council Taxi & Private Hire Licensing	£50
Literacy & Numeracy	LearnDirect	£25
Private Hire Driver Seminar: <ul style="list-style-type: none"> <li>• Basic legislation</li> <li>• Leeds knowledge and Leeds city centre knowledge</li> <li>• Private Hire conditions</li> <li>• Using a reference tool (Street A to Z)</li> </ul>	Leeds City Council Taxi & Private Hire Licensing	£90
Safeguarding	Carolyn Eyre Safeguarding Consultant	£10

### Conclusions

Bradford's course is effective and well regarded by the trade. It can be completed very quickly and the costs are very reasonable. Leeds' course takes much longer to complete and is significantly more expensive. It is clear that Bradford's modular training course provides excellent value for money given its inexpensive fee.

Both Bradford and Leeds meet the majority of the DfT's recommendations for training. Both authorities concentrate training on drivers, and both Leeds and Bradford have provided safeguarding training to operators. Both authorities should also consider whether it should extend any more of its training modules (e.g. customer care, etc) to operators as appropriate and as recommended by DfT. **Recommendation 11: The service should consider whether it should extend some of its other training modules (e.g. customer care, etc) to Operators as recommended by DfT.**

There is a good level of quality and range in Bradford's training, and this is delivered effectively in one sitting lasting only 4 hours. This creates the minimum of disruption for drivers whose time is at a premium. Every minute they are sat in a training course is a minute's lost income to them.

There are no instant fail questions in Bradford's assessment. Leeds has certain questions which will result in an instant fail which requires the driver to re-take that part of the course. For example, after the legislation seminar Leeds asks all private hire drivers if they are should stop when hailed

and accept a fare which has not been pre-booked. If they answer this question incorrectly they will fail this part of the course regardless of whether they pass the rest of the questions.

**Recommendation 12: The service should consider whether to introduce “instant fail” questions in its assessment process for areas where the wrong answer would represent a clear danger to the safety of the travelling public.**



## Review Recommendations

It is clear that Bradford and Leeds policies and procedures are very similar. Both comply with DfT best practice guidance. Where there are differences between the two authorities, there are good reasons for that in response to local licensing issues which have been prioritised by each authority.

The following is a list of recommendations formed from the conclusions after each section of the report. Some of these recommendations complement the work that is currently being undertaken by all the West Yorkshire and York authorities to harmonise licensing policies across the region. Work on these areas should be undertaken jointly with these authorities to ensure a common approach is adopted.

**Table 6: Summary of Recommendations**

Policies and Procedures
<b>Recommendation 1:</b> The service needs to review the future use of its Conditions Booklet carefully as there is evidence to suggest that parts of the trade would have difficulty accessing and using an electronic version online.
<b>Recommendation 2:</b> The service needs to clarify its approach to protected cautions and convictions during the fit and proper test for applicants.
<b>Recommendation 3:</b> The council needs to review its decision making where a Members' Panel directs an officer to change a decision they are minded to take.
<b>Recommendation 4:</b> The service needs to complete the review of its staffing structure to ensure there are sufficient resources at the correct level for decision-making.
Driver/Operator Engagement
<b>Recommendation 5:</b> The service needs to review its approach to engagement/consultation with the trade and develop a range of tools to improve response rates from the trade.
Customer Satisfaction
<b>Recommendation 6:</b> The service needs to signpost its disabled access at Shearbridge Depot better.
<b>Recommendation 7:</b> The service needs to continue with its planned improvements to reduce waiting times and monitor the effect of the improvements to ensure average waiting times are decreased.
<b>Recommendation 8:</b> The service needs to complete its work to update the flowcharts and publish them online for customers' reference. Other pages on the website need to link to the appropriate flowchart as a visual aid for customers to help them understand processes better.
<b>Recommendation 9:</b> The service needs to introduce a system to monitor the time taken to process new applications so it can identify areas for improvement in the process.
<b>Recommendation 10:</b> The service needs to review its approach to English comprehension and literacy training.

## Training

**Recommendation 11:** The service should consider whether it should extend some of its other training modules (e.g. customer care, etc) to Operators as recommended by DfT.

**Recommendation 12:** The service should consider whether to introduce “instant fail” questions in its assessment process for areas where the wrong answer would represent a clear danger to the safety of the travelling public.