

## REPORT OF GENERAL PURPOSES AND LICENSING COMMITTEE

(Meeting held 14 September 2007)

### 1. POLLING DISTRICTS AND POLLING PLACES REVIEW – DELEGATION TO COMMITTEE (REPORT A) (MINUTE NO. 16)

The Electoral Administration Act 2006 introduced a requirement for all authorities to complete a review of the polling districts and polling places within their areas by 31 December 2007. A “polling district” is a geographical sub-division of an electoral area such as a ward, into a smaller area within which a polling place convenient to electors can be determined. A “polling place” is the building or area within which polling stations will be selected by the Returning Officer. The “polling place” may be defined as wide as the whole polling district or as narrowly as a particular room in a particular building. Electoral areas such as district wards will not be affected by the review.

The review commenced early in August. All Councillors, Parish and Town Councils, political parties and disability groups have been consulted and information has been placed on the Council’s website. Documents relating to the review are also available at the Council’s local information offices. Representations have been requested by 28 September.

In order that any changes to the polling districts that might be agreed may be incorporated in the revised version of the register to be published on 1 December 2007, the review needs to be completed by 23 November at the latest.

The designation of polling districts is a matter for the Council, while polling places are a matter for the Executive. Under the current arrangements, any changes to the polling districts need the approval of the full Council. A report in regard to polling places will be made to the Cabinet on 7 November.

To assist in meeting the review deadlines, the Committee has appointed a Working Party to consider in detail any representations that might be received in response to the review, and to make recommendations to the Committee.

The last full Council meeting before 1 December (the date of publication of the revised version of the register) is on 29 October 2007. It will be difficult for the proposed Working Party, and the Committee, to give full consideration to any representations in time for a report to be made to the Council on 29 October. The Committee therefore requests the Council to delegate authority to the Committee to agree any changes to the polling districts that it might consider appropriate, following consideration of the representations received. The matter could then be considered and decisions taken by the Committee at its scheduled meeting on 16 November. Any changes agreed could then be implemented with the 1 December version of the register. All members of the Council will be invited to attend the Committee’s meeting on 16 November, and any meetings of the Working Party, to input into the review.

#### **RECOMMENDED:**

***That authority be delegated to the General Purposes and Licensing Committee to agree any changes to the polling districts that it considers appropriate following consideration of the representations received in response to the review of polling districts required under Section 16 of the Electoral Administration Act 2006.***

**2. CHANGES TO THE HACKNEY CARRIAGE & PRIVATE HIRE VEHICLE DRIVER QUALIFICATION REQUIREMENTS AND THE INTRODUCTION OF A BASIC PRE-APPLICATION AWARENESS TEST (REPORT B) (MINUTE NO. 17)**

The Committee has considered various proposals to assess the suitability of applicants for Hackney Carriage & Private Hire Vehicle Drivers.

All applicants for Hackney Carriage and Private Hire drivers' licences must provide sufficient evidence on application to the local authority to enable them to be determined as 'fit and proper' under section 51 of the Local Government (Miscellaneous Provisions) Act 1976. Licences are then granted to applicants who meet the criteria.

To date, the checks on all applicants include an enhanced Criminal Record check (CRB), a group 2 medical (professional driver standard), holding a full driver's licence for a period of not less than one year, a Driver & Vehicle Licence Authority (DVLA) data subject access enquiry and two personal references.

Licensing Services have recently experienced several difficulties relating to applications in terms of CRB checks, driving experience and DVLA checks, authority to work in the UK, literacy and numeracy issues and limited knowledge of the area.

There has been an increase in the number of applicants showing limited literacy and numeracy skills as well as an increase in the number of applications from persons living outside the District who have shown a lack of local knowledge. The Committee felt that these drivers would not be able to provide a quality service because their own levels of understanding and local knowledge were limited. They felt that this would impinge on the level of service being provided to passengers.

There has been also been a considerable rise in the number of applications from persons who were born outside, or who have spent long periods outside, of the UK. The CRB check only discloses a criminal history related to time spent in the UK. The Committee therefore felt that there was a potential risk that relevant offences committed outside the UK would not be revealed. The Committee felt that this was unacceptable when considering the possible risk to the safety and protection of service users. The Committee therefore recommends that non-UK applicants provide "Statements of Good Conduct" from relevant Embassies.

Drivers originating for member states within the European Union or European Economic Area are not required to register or convert their licences with the DVLA. This means that a DVLA check will not reveal their driving history. Registering the licence with the DVLA will mean that officers will be able to obtain information on an applicant's driving history in the UK and the status of the licence. The Committee considers this essential. To aid in ensuring that only safe drivers are licensed in the District the Committee considers that a requirement that applicants have held a full driving licence for a minimum of two years immediately preceding the date of the application should be introduced.

The Committee largely felt that to address the problems surrounding literacy, numeracy and local knowledge, a pre-application awareness test should be introduced for all new applicants. They felt that questions should test local knowledge, numeracy and literacy skills and that it should be taken and passed before making an application for a Hackney Carriage & Private Hire Vehicle Driver's Licence. They were also happy with the suggestion that the awareness test be overseen and administered by Licensing Services under the authority of the Licensing Officer.

All of the proposals mentioned above and set out in the recommendation below are intended to ensure that all applicants for Hackney Carriage and Private Hire drivers' licences are subjected to the same, or as nearly the same as possible, checks and tests prior to determination whether they are "fit and proper" persons to be licensed. This will assist in aim of ensuring that licensed drivers provide a quality service to users, and that public safety is protected.

There is a proposal to introduce a BTEC Licensed Drivers' qualification and it is hoped that a pilot scheme will proceed under the auspices of Brockenhurst College in the near future.

**RECOMMENDED:**

***That the following changes to the Hackney Carriage & Private Hire Vehicle Driver Qualification Requirements and the introduction of a basic pre-application awareness test be approved:***

- (i) that all non UK applicants for a Hackney Carriage & Private Hire Vehicle Driver Licence must provide a signed and sealed 'Statement of Good Conduct' from the Embassy of all the relevant countries in which they were born or have lived;***
- (ii) that all applicants for a Hackney Carriage & Private Hire Vehicle Driver Licence provide proof of entitlement to work in this country prior to making a full application for a licence;***
- (iii) that all non-UK applicants must have registered their non-UK driving licences with the DVLA and provide a UK Counterpart issued by the Driver and Vehicle Licensing Authority;***
- (iv) that applicants must have held a full driving licence for a period of not less than two years immediately preceding the date of the application;***
- (v) that an Awareness Test for all new Hackney Carriage & Private Hire Vehicle Driver Licence applicants be introduced and that:***
  - (a) The cost of the test be set at £28 for the remainder of the Council year;***
  - (b) Authority be delegated to the Licensing Officer to make suitable arrangements for the tests, including the setting of the tests and determining whether applicants have passed or failed;***
  - (c) the full cost of the test be borne by the applicant;***
  - (d) the test must be passed at the required level before an application for a hackney carriage and private hire driver licence will be considered;***
- (vi) that the impact of the Awareness Test on application numbers and quality of applicants be reviewed by the Committee after one year; and***

***(vii) that a review, with recommendations, be presented to the Committee following completion of a BTEC Licensed Drivers qualification pilot course.***

**Cllr A E J Shotter  
Vice-Chairman**