



CHELTENHAM

BOROUGH COUNCIL

Notice of a meeting of Licensing Committee

Friday, 5 February 2016
2.15 pm
Pittville Room - Municipal Offices

Membership	
Councillors:	Roger Whyborn (Chair), Diggory Seacome (Vice-Chair), Andrew Chard, Wendy Flynn, Adam Lillywhite, Anne Regan, Rob Reid, Pat Thornton, Jon Walklett and Helena McCloskey

The Council has a substitution process and any substitutions will be announced at the meeting

Agenda

1.		APOLOGIES	
2.		DECLARATIONS OF INTEREST	
3.		PUBLIC QUESTIONS These must be received no later than 12 noon on the fourth working day before the date of the meeting	
4.		MINUTES OF LAST MEETING To approve the minutes of the last meeting held on 8 January 2016.	(Pages 3 - 8)
5.		APPLICATION FOR A PRIVATE HIRE DRIVER'S LICENCE MR DEAN MAKEY	(Pages 9 - 12)
6.		BRIEFING NOTE Licensing up-date	(Pages 13 - 16)
7.		ANY OTHER ITEMS THE CHAIRMAN DETERMINES TO BE URGENT AND WHICH REQUIRES A DECISION	
8.		DATE OF NEXT MEETING 4 March 2016	

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Licensing Committee

Friday, 8th January, 2016

2.15 - 4.02 pm

Attendees	
Councillors:	Roger Whyborn (Chair), Diggory Seacome (Vice-Chair), Andrew Chard, Wendy Flynn, Adam Lillywhite, Anne Regan, Rob Reid, Pat Thornton and Helena McCloskey
Also in attendance:	Vikki Fennell and Andy Fox

Minutes

1. APOLOGIES

Apologies were received from Councillor Walklett.

2. DECLARATIONS OF INTEREST

None

3. PUBLIC QUESTIONS

None

4. MINUTES OF LAST MEETING

The minutes of the last meeting held on 4 December 2015 were approved and signed as a true record.

5. APPLICATION FOR PERMISSION TO PLACE TABLES AND CHAIRS ON THE HIGHWAY

The Senior Licensing Officer, Andy Fox, introduced the report regarding an application from The Stable Bar and Restaurant Limited for permission to place 3 picnic style tables with benches on the pavement outside The Stable premises at 40 Clarence Street from 10:00 to 00:30 every day of the week. Appendix 1 showed a picture of the proposed structure, with the location plan at Appendix B.

The Officer reported that objections had been received from Planning Enforcement on grounds of appearance of the tables and chairs and from Gloucestershire Constabulary on the lack of barriers around the designated licenced area. He continued that in consultation with the applicant, it had been confirmed that the benches would be removed during non-trading hours, that the applicant was willing to place barriers around the proposed tables and chairs and that the applicant had agreed to the table and two seats on Clarence Street being excluded from the consent.

The Officers recommendation was to grant the application subject to the amendment from 3 to 2 tables with chairs and to the approval of the proposed design for the barriers.

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In reply to questions from members, the Officer clarified that the pavement tables and chairs design guide (attached as Appendix C) was produced in 2002 and stated that wooden tables and chairs were not normally permitted in an urban setting and also confirmed that the area in blue on the location plan was private land and not highways. The Officer stated he did not know the dimensions of the tables or whether the 8 tables behind the railings would remain out during non-trading hours.

Mr James Anderson, Solicitor for Poppleston Allen and Ms Poppy Armstrong, Operations Manager at The Stable were in attendance representing the applicant and Mr Anderson was invited to speak in support of the application.

In response to members' previous questions to the Officer, Mr Anderson confirmed that the tables were 1 metre in length and 1.5m deep and designed to seat 4 people and that the tables and chairs on the private land behind the railings would remain there all the time. He continued that they had applied for the maximum period allowed for the tables and chairs to be out, but in practice the premises would close at 11pm and they would be moved in at this time each evening. Mr Anderson confirmed that they were happy to accept the recommendation not to have one of the tables on Clarence Street but asked the committee to give due consideration to the other 2 tables and chairs on Crescent Place. With regard to wooden benches not being normal practice, Mr Anderson informed members that the benches chosen were of a high standard and hard wearing and that they wanted this particular style in order to be in keeping with the furniture inside the premises. He felt that once they had weathered and stained, that they would be more in keeping with Cheltenham street scene and he circulated photos of tables that had been in situ for some time at other Stable premises which once aged, blended in better.

Mr Anderson continued that they would be happy to accept the condition to have barriers at the designated area to safeguard members of the public, but favoured barriers at either end and not in front of the benches as he felt this would restrict access for customers and waiting staff. He felt the benches themselves acted as a natural barrier. Mr Anderson showed members photos of two options of wooden barriers which were just over 1m in height.

Members voiced concerns about the appearance of the benches and not complying with the design guide and the tables being left out overnight. The applicant's Solicitor replied that he noted the preference for wooden benches to be in countryside surroundings, but hoped that the natural stained effect of the wood would be acceptable. He added that these tables and benches blended with the inside wood panelling of the establishment which was a feature of 'Stable' premises and felt this lead to aesthetic continuity inside and out. He reassured members that the tables, although solid, could be lifted by one person and thus moved in and out easily. As there would be only 2 tables and 4 benches to move each day he felt this would not be a problem and was aware that if left out they would be in breach of the license.

Members were concerned about the distance drinks and food had to be carried to the proposed tables in the interest of safety to members of the public and waiting staff, taking into account restricted space on the pavement including a lamp post and a sign, a working cellar hatch, restricted space in the entrance lobby and steep steps to the entrance door and the possible risks with using

glasses. Mr Anderson replied that they were an experienced operator with well trained staff who would adhere to health and safety regulations. He stressed they were only talking about 8 more covers so felt the extra risk with glasses and access was small. All food would be waiter service, thus reducing the number of people moving in and out. Mr Anderson was not in favour of using polycarbonate glasses as suggested by a member as it would be difficult to enforce serving in plastic glasses to the 8 customers on the additional two tables, whereas the 32 customers using the tables on the private land would be served in normal glasses. Mr Anderson questioned if other premises in Cheltenham were allowed to carry glasses on highway pavements and he was informed not if the area was covered by the alcohol free zone order.

In reply to a question, Mr Anderson informed members that there was a walkway space between the tables and benches on the private land and the railings, that waiting staff would use, with no access to the pavement.

One member questioned how many residents lived in the vicinity, to which the ward councillor for that area informed there were no residents within 25-30 metres of the establishment. Mr Anderson again repeated that it would only be an extra 8 people outside, most customers would be using the outside tables in the daytime or just for smoking later in the evening and that the premises would close at 11pm.

The Chair moved to vote on this application amended to permission for two picnic style tables and chairs.

Upon a vote it was 4 for, 5 against.

RESOLVED THAT, permission to place tables and chairs on the highway at The Stable, 40 Clarence Street, be refused, as members considered the application not to be compatible with the current Street Scene Policy.

The Chair summarised the rationale behind this decision being that the appearance of the wooden tables and chairs were not in keeping with the Council's Pavement Tables and Chairs Design Guide for use in an urban area and because the application was against the Council's Street Scene Policy on the grounds that the application obstructed the highway and posed a risk to public health and safety and protection, namely in relation to restricted space on the pavement with obstacles, a working cellar hatch, steep steps to the entrance and risks with using glasses and distance for carrying food and drink on the highway.

6. APPLICATION FOR A STREET TRADING CONSENT

The Senior Licensing Officer, Andy Fox, introduced the report regarding an application from Miss Kirsty Westlake of Juicilicious for a street trading consent to sell healthy food and drinks from a gazebo measuring 3m x 3m on the Promenade outside Waterstones from January to April, June to September and November from 08:00 to 18:30 Monday to Friday and 08:30 to 18:30 on Saturday and Sunday. Appendix 1 showed the location of the proposed trading pitch and Appendix 2 gave an image of the trading unit. The Officer continued that three objections had been received and advised that members must consider the application on this location plan and layout only. The Officer recommendation was that this application be refused on the grounds of

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appearance and not in keeping with the streetscape; the goods to be sold not being unique and enhancing the enjoyment of the town and obstruction to the highway.

In response to a question from a member, the Officer reported that the Christmas, Farmers' and Craft markets all used that area of the Promenade which were all actively promoted by the Council with tighter controls. One member expressed concern about the objection on the grounds of the type of goods sold, as he felt competition was favourable and that nearby food establishments only had a limited variety of the healthy range on offer in this application.

The applicant was invited to speak in favour of her application. Miss Westlake informed members that she would be selling healthy drinks, juices and smoothies, as well as three healthy breakfast options and healthy snacks. In response to Huffkins' objection to direct competition, she had up-dated her menu which no longer included lunch options and she felt the items on her new menu were not in competition with anyone else nearby. Miss Westlake circulated a copy of her revised menu to members.

With regard to the objection of obstructing the highway, Miss Westlake reported that she had been under the impression from a member of the Licensing team that this pitch was already approved and had been advised to submit her application quickly. The Officer advised that the policy outlining the pitches had not yet been approved and thus each application for a pitch would go through on their own merit. On this point, the Chair questioned the GCC comment regarding pedestrian access on the Promenade, as other larger markets were located there.

Miss Westlake continued that she agreed with the objection that the physical appearance of the gazebo was not in keeping with the streetscape for the Promenade and informed members of 2 different options that she considered more suitable, one being a tricycle and the other a more robust easy to set up half wooden hut and circulated pictures of these to the committee. Members favoured the hut option, which with dimensions of 6ft x 4ft was smaller than the gazebo.

In reply to questions from members, the applicant stated that the reason she had not applied for trading consent in May, October and December was because she had been advised by the Licensing team of an international market and the Christmas market trading in this area at those times. Miss Westlake also advised members that the majority of her items would be produced at her business premises at home, but that she would have a small silent generator to be able to make individual smoothies.

With regard to the objections from GCC, Huffkins and the Cheltenham Business Partnership, the Chair felt they didn't address the real issues and that the Committee needed to consider the overall picture and the Borough as a whole and not concern itself with the profitability of traders. Another member also pointed out that the pitch applied for was not free and had to be paid for. In consultation with members, the Chair stated that the application with the gazebo would have been refused, however if the applicant was willing to change the design to the hut then this proposal could be supported.

The applicant agreed to change the design to the hut option and in reply to a question stated that the hut could be set up in 10 minutes by two people and that it came in a packing bag that could fit into the back of a larger car. Miss Westlake was happy to park the car nearby and carry the hut to the appropriate spot, but it was pointed out that vehicles were allowed on the Promenade for loading and unloading for the markets at certain times of the day.

The Chair moved to vote on 1.5.1 subject to the change of design of the stall.

Upon a vote it was 9 for, 0 against.

RESOLVED THAT, Miss Kirsty Westlake's application for a street trading consent be approved subject to the change of design to the wooden hut, as members were satisfied that the proposal was suitable and in keeping with the Street Scene Policy.

The Chair wished Miss Westlake success and welcomed seeing a young person setting up in business.

7. REVIEW OF A PRIVATE HIRE DRIVER'S LICENCE

The Senior Licensing Officer, Andy Fox, introduced the report regarding an application for a review of Mr Keith David Lewis' Private Hire Driver's Licence PHD116 which was due for renewal on 8 December 2016. Mr Lewis had a number of penalty points on his driver's licence, details of which were outlined in the background papers, and had failed to declare these points to the council in accordance with statutory and policy requirements. In the light of this, the matter had been brought to committee for members to consider if Mr Lewis remained a fit and proper person to hold such a licence.

In response to questions from members, the Officer informed the committee that Mr Lewis had no recollection of the speed he was driving on the three occasions, but that the SP30 fine indicated he was exceeding 30mph. However as 3-6 points could be given for each offence and given that Mr Lewis was awarded 3 points on each occasion, it could be reasonably assumed that it was less than double the speed limit and not excessively over 30mph. One member did point out that speed awareness courses were often offered for a first conviction if the speed was not much over the limit. The Officer advised members that a driver's licence was suspended at 12 points and that Mr Lewis had 9 points. The Officer informed members that taxi drivers were reminded via newsletters of the requirement to inform the council of any convictions. Drivers were also sent a copy of the conditions and a question on this point was in the test that the drivers had to pass and the Officer confirmed that Mr Lewis had correctly answered this question.

Mr Lewis was invited to address the committee and he apologised that it had slipped his mind to report the convictions to the council. He further denied the allegation that he bragged about this, questioning why he would want to brag about the number of points he had on his licence.

In reply to questions, Mr Lewis informed members that he didn't have any passengers when caught, that all offences were on transition from a 40mph limit to a 30mph area, one being on the way to Evesham and two being at the Walls

roundabout in Gloucester. He further added that he had been driving since the age of 19 and had been a licensed taxi driver for 3 years. As all the offences were within a relatively short period of time of 7 months, a member questioned if there was a reason for this, to which Mr Lewis replied that although he had had some personal problems, there was no real reason just bad luck.

A member questioned if Mr Lewis had taken the DVSA driving test and the Officer informed that he had not as the policy to take this test had only changed some 6-8 months ago. However Mr Lewis had taken the former Road Safety Unit test.

In considering whether Mr Lewis was a fit and proper person to hold such a licence, members were advised that they could add the condition that Mr Lewis complete the DVSA taxi driving test within a specified period of time and also consider issuing a written warning.

Members adjourned at 15.43 to consider the matter and reconvened at 15.58.

The Chair reported that the committee had taken a serious view on this matter, but that as all offences had happened in a relatively short period of time, members were of the opinion to issue a written warning and to ask Mr Lewis to complete the DVSA test. The Chair read out an amended 1.4.2.

Upon a vote it was 9 for, 0 against.

RESOLVED THAT, Mr Lewis be given a written warning and be required to successfully complete a DVSA taxi driving test within 3 months at his own expense.

8. ANY OTHER ITEMS THE CHAIRMAN DETERMINES TO BE URGENT AND WHICH REQUIRES A DECISION

None

9. DATE OF NEXT MEETING

5 February 2016

Roger Whyborn
Chairman

Cheltenham Borough Council

Licensing Committee – 5 February 2016

Application for a Private Hire Driver’s Licence

Mr Dean Makey

Report of the Licensing Officer

1. Executive Summary and Recommendation

- 1.1 Mr Dean Makey has applied for a Private Hire Driver’s Licence.
- 1.2 Mr Makey’s certificate from the Disclosure and Barring Service (DBS) shows a number of convictions and a caution. The details of these are contained in the separate background papers.
- 1.3 Mr Makey has been interviewed by a licensing officer and a report of that interview is contained in the background papers.
- 1.4 In light of this Mr Makey’s application has been brought before the Committee to ensure that he is a fit and proper person to hold such a licence.
- 1.5 The Committee can:
 - 1.5.1 **Grant Mr Makey’s Private Hire driver’s licence, subject to Mr Makey completing all the relevant tests and assessments, because the Committee is satisfied that he is a fit and proper person to hold such a licence; or**
 - 1.5.2 **Refuse the licence if the Committee resolves that Mr Makey is not a fit and proper person to hold a Private Hire driver’s licence.**

1.6 Implications

- 1.6.1 Legal There is a right of appeal against a refusal of a licence which in the first instance is to the Magistrates' Court.

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2. Background

- 2.1 The Borough Council must be satisfied that the holder of a Private Hire Drivers licence is a fit and proper person to hold that licence (Section 59 Local Government (Miscellaneous Provisions) Act 1976).

3. Policy Considerations - Relevance of Convictions, Cautions and Fixed Penalty Notices in Relation to the Licensing of Drivers and Operators

- 3.1 Decision making in relation to licensing is an onerous duty, dealing with both the livelihood of the Licensee/Applicant and the risks to the safety and comfort of the public.
- 3.2 Each case will be decided on its own merits. The Council will always consider the full facts of the case and any mitigating or other circumstances before reaching a decision.
- 3.3 The overriding consideration is the safety of the public. The Council has a duty to ensure so far as possible that those licensed to drive hackney carriage and private hire vehicles are suitable persons to do so, that they are safe drivers with good driving records and adequate experience, sober, courteous, mentally and physically fit, honest and not persons who would take advantage of their employment.
- 3.4 Some discretion may be appropriate if the offence is isolated and there are mitigating circumstances. Similarly, multiple offences or a series of offences over a period of time are likely to give greater cause for concern and may demonstrate a pattern of inappropriate behaviour which will be taken into account.
- 3.5 The Council will only consider spent convictions if it appears to be relevant for deciding whether the applicant is a fit and proper person to hold a licence and that justice cannot be done in the case, except by admitting or requiring evidence relating to that spent conviction.
- 3.6 For the purpose of these guidelines formal cautions and endorsable fixed penalties shall be treated as though they were convictions.

3.7 Violence

Drivers of hackney carriage and private hire vehicles are often entrusted with the care of vulnerable persons.

It is comparatively easy for an unscrupulous driver to take advantage of such vulnerable persons.

The Council seeks to minimise risks associated with children and young persons and for that reason a more serious view will be taken where offences of violence involve children or young persons.

Where the commission of an offence involved loss of life a licence will normally be refused.

In particular an application will normally be refused where the applicant has a conviction for violence such as those listed below, or similar offence(s):

- a. Murder
- b. Manslaughter
- c. Manslaughter or culpable homicide while driving

In general an applicant with convictions for violence, as listed below (or similar offences), which are less than 10 years old, is unlikely to be considered favourably.

- a. Arson
- b. Malicious wounding or grievous bodily harm (s.20 Offences Against the Person Act 1861) which is racially aggravated (s.29(1)(a) Crime and Disorder Act 1998)
- c. Actual bodily harm (s.47 Offences Against the Person Act 1861) which is racially aggravated (s.29(1)(b) Crime and Disorder Act 1998)
- d. Grievous bodily harm with intent (s.18 Offences Against the Person Act)
- e. Grievous bodily harm with intent (s.20 Offences Against the Person Act)

- f. Robbery
- g. Possession of firearm
- h. Riot
- i. Assault Police
- j. Common assault with racially aggravated (s.29(1)(c) Crime and Disorder Act 1998)
- k. Violent disorder
- l. Resisting arrest

In general an applicant with convictions for violence, as listed below (or similar offences), which are less than 8 years old, is unlikely to be considered favourably.

- a. Racially-aggravated criminal damage (s.30 Crime and Disorder Act 1998)
- b. Racially-aggravated s.4 Public Order Act 1986 offence (fear of provocation of violence) (s.31(1)(a) Crime and Disorder Act 1998)
- c. Racially-aggravated s.4A Public Order Act 1986 offence (intentional harassment, alarm or distress (s.31(1)(b) Crime and Disorder Act 1998)
- d. Racially-aggravated s.2 Protection from Harassment Act 1997 offence (harassment) (s.32(1)(a) Crime and Disorder Act 1998)
- e. Racially-aggravated s.4 Protection from Harassment Act 1997 offence (putting people in fear of violence) (s.32(1)(b) Crime and Disorder Act 1998)
- f. Racially-aggravated s.5 Public Order Act 1986 offence (harassment, alarm or distress) (s.31(1)(c) Crime and Disorder Act 1998)
- g. Assault occasioning actual bodily harm (s.47 Offences Against the Person Act)

In general an applicant with convictions for violence, as listed below (or similar offences), which are less than 5 years old, is unlikely to be considered favourably.

- a. Common assault
- b. Affray
- c. S5 Public Order Act 1986 offence (harassment, alarm or distress)
- d. S.4 Public Order Act 1986 offence (fear of provocation of violence)
- e. S4A Public Order Act 1986 offence (intentional harassment, alarm or distress)
- f. Obstruction
- g. Possession of offensive weapon
- h. Criminal damage

3.8 Drugs

If any applicant has previous convictions related to drugs and was an addict at the time of the offences, then they will normally be required to show evidence of 5 years free from drug taking after detoxification treatment before a licence will be granted. If detoxification treatment was not undertaken the applicant will need to provide other medical evidence to demonstrate that they are no longer dependant on drugs.

An application will normally be refused where the applicant has more than one conviction for offences related to the possession of drugs and the convictions are less than 5 years prior to the date of the application.

An application from an applicant who has an isolated conviction for an offence related to the possession of drugs within the last 3 years will require careful consideration of the facts.

3.9 Offences of Dishonesty

Drivers of hackney carriage and private hire vehicles are expected to be persons of trust. It is comparatively easy for a dishonest driver to defraud the public by demanding more than the legal fare and in other ways.

Passengers may include especially vulnerable people.

Members of the public entrust themselves to the care of drivers both for their own safety and for fair dealing. In certain situations drivers will know that a property is empty whilst the occupants are away on holiday for a set period of time after taking them to the airport or railway station.

The widespread practice of delivering unaccompanied property is indicative of the trust that businesses put into drivers.

For these reasons a serious view is taken of any convictions involving dishonesty. In general an applicant with convictions for dishonesty, as listed below, which are less than 4 years old, is unlikely to be considered favourably.

- a. Theft
- b. Burglary
- c. Fraud
- d. Benefit fraud (including offences under ss.111A and 112 of the Social Security Administration Act 1992)
- e. Handling or receiving stolen goods
- f. Forgery
- g. Conspiracy to defraud
- h. Obtaining money or property by deception
- i. Other deception

4. Licensing Comments

- 4.1 Members must be satisfied that Mr Makey is a fit and proper person to hold a Private Hire driver's licence.
- 4.2 Mr Makey has been interviewed and has provided explanations of the circumstances relating to each offence. The interview notes are contained in separate background papers.
- 4.3 The way in which convictions, cautions and fixed penalties affect licence applications is set out in the Council's policy. The relevant extracts are shown above and are also referred to in the background papers. The Committee must promote its policy and only deviate in exceptional circumstances. If the Committee chooses to deviate from the policy they should give clear and full reasons for doing so.
- 4.4 Mr Makey has been sent a copy of this report and invited to attend this meeting to speak in support of his application and to answer members' questions or to be represented. In considering the application on its own merits Members should have regard to the adopted Probity Guide.

Background Papers

Service Records

Report Author

Contact officer: Mr Philip Cooper
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Briefing Notes

Committee name: Licensing Committee

Date: 5 February 2016

Responsible officer: Licensing Team Leader

This note contains information to keep Members informed of matters relating to the work of the Committee but where no decisions from Members are needed.

If Members have questions relating to matters shown, they are asked to contact the Officer indicated.

In December Members requested data relating to new Private Hire driver applications. This request was made in response to a meeting that was held with private hire operators expressing concern about a drop in the number of new private hire drivers applying for licences.

The operators alleged that the policy change in December 2014 had an impact on the number of new drivers applying for a licence and/or passing the council's assessment criteria.

Policy Background

A review of the Council's taxi and private hire licensing policy was undertaken in 2014 that resulted in a revised policy being adopted and implemented in December 2014. The relevance for this briefing note is the revised fitness assessment criteria for new drivers. The revised policy introduced the following changes to new driver fitness criteria:

- Requirement to be proficient with English;
- Safe driving assessment is now being undertaken by the DVSA (previously GCC's driving assessment unit); and
- Enhanced medical checks.

Meeting with Operators

As previously stated, a meeting was held with the operators concerned. The outcome of the meeting identified two potential issues:

- The length of time it takes to get a DVSA driving assessment booked; and
- The difficulty of the knowledge test and consideration whether private hire drivers should be exempt on the basis of advances in satellite navigation systems and that private hire drivers know where they are going prior to the commencement of their journey (unlike public hire drivers).

Other matters included the length of time it takes to get a licence and the general drop in applications.

Data

In response, the committee has requested officers to provide them with data to enable them to come to an informed conclusion with regards to whether any policy changes should be recommended in response to the request by the operators.

1. Average application processing end to end time for new private hire drivers:

2014 60 days
2015 84 days

The average increase in the number of days in 2015 can be attributable to:

- The new policy that certainly had an impact due to the increased nature of the fitness assessment for new drivers:
 - The new DVSA driver's assessment bookings have prolonged the process. Furthermore, if drivers have to retake the assessment this caused further delays.

Officers do however now believe that undue delays with the DVSA have now been resolved following a meeting with them. Too early to assess the impact of this due to lack of sufficient data since the meeting but there has been a drop in the number of complaints about this which may be indicative of an improved picture.

2. Number of new private hire applications received

2014		2015		Comparable (15 v 14)
50 total applications	21 completed (42%)	31 total applications	16 completed (51%)	↓
29 abandoned (58%)		15 abandoned (49%)		↑
				↓

3. Number of new private hire applications received (breakdown)

	2014	2015	Comparable (15 v 14)
January	1	3	↑
February	5	1	↓
March	3	1	↓
April	2	5	↑
May	7	3	↓
June	3	5	↑
July	3	2	↓
August	3	1	↓
September	11	3	↓
October	6	0	↓
November	3	5	↑
December	3	2	↓

4. Other Local Authority – Fitness Criteria

Assessment	CBC	GCC	SDC	FoD	SGC	CDC	TBC
Enhanced DBS	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Local Knowledge Test	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Medical	Group 2 driver standard	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	Other medical	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Driving Assessment	DVSA Driving Assessment	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	County Council	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Driving Assessment							
English Proficiency		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Evidence of right to work		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Cheltenham’s fitness criterion is broadly similar to that of Gloucester and South Gloucestershire with the exception of the requirement to undertake an additional English proficiency test.

Local Knowledge Test Pass/Failure rates (2014/15)

Average rate – pass on first attempt 54%
Average rate – pass on second attempt 38% (those that had to re-sit)
Two or more failures 8%

Data across the two years (i.e. 2014 & 2015) were broadly similar. This would be expected because the local knowledge test has largely remained unchanged and unaffected by the policy change.

The majority of applicants do pass the test on the first go. The most common areas for failing the test are (in order):

- Highway Code (self-study)
- Geographical knowledge (self-study)
- Law & conditions (applicants supplied with study material)

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