

Agenda Item No. 6(h)

DERBYSHIRE COUNTY COUNCIL

CABINET

16 November 2017

Report of the Strategic Director – Economy, Transport and Environment

**PASSENGER TRANSPORT DRIVER TRAINING INITIATIVE (HIGHWAYS,
TRANSPORT AND INFRASTRUCTURE)**

(1) **Purpose of Report** To seek approval for an initiative to help existing and potential minibuses drivers increase their skills and qualifications.

(2) **Information and Analysis**

Background

For some years, transport operators have expressed concern about the difficulty of recruiting and retaining suitably qualified minibuses drivers. Whilst there are shortages of qualified drivers elsewhere in the passenger transport industry, the County Council has a particular interest in drivers of small and medium sized vehicles (i.e. up to 16 seats). Such vehicles are suitable for conversion to improve accessibility, for example, the addition of rear tail lifts to help passengers in wheelchairs. These are used extensively to provide transport for eligible service users, many of whom are older or disabled people, picking them up from their homes to take them to day centres and returning them home in the afternoon. Minibuses are also used to a lesser extent to provide transport for students with Special Educational Needs and Disabilities (SEND), for mainstream school transport in rural areas with small numbers of passengers and the recently introduced Derbyshire Connect services. In addition, future reviews of public transport may identify a need for more flexible forms of transport which may be more appropriately provided by smaller vehicles.

In total, the County Council has around 140 contracts for transport that require the use of vehicles with between 9 and 16 seats. The contracts are all awarded through a process of competitive tendering. There is generally a competitive market for the provision of this type of service and this helps to ensure that the County Council can ensure the provision of good quality services at a reasonable price. However, in about a quarter of cases, the County Council receives only one compliant tender for such contracts. Steps are taken to ensure that the price is not excessive, but in these instances, it can be difficult to be sure that the County Council is achieving the best value

for money. If there are insufficient providers who can comply with the regulations, there is a real risk that it may not be possible to provide the services that people need and, in some cases, are entitled to by law.

In Derbyshire, the Community Transport Organisations (CTOs) are important providers of small vehicle transport, accounting for around half of all Adult Care transport services and a much smaller proportion of education transport. The previous report on this agenda explains that the Department for Transport (DfT) has recently provided a revised interpretation of the vehicle licensing regulations. The main change is that where CTOs are seeking to provide services on what is now interpreted as a commercial basis, they can no longer do so using a 'Section 19 Permit' exempting them from the Operator licensing ('O-licensing') regulations.

In order to comply with the regulations, all operators will need to ensure, amongst other things, that their drivers have the relevant licence and a Driver Certificate of Professional Competence (Driver CPC); that they can demonstrate financial standing; and that they comply with the Traffic Commissioner's requirements for vehicle inspections. All companies seeking to undertake work under contract to the County Council will need to be fully compliant with the relevant regulations and, where necessary, to take steps to rectify the position.

An important aspect of this is a need for driver training and the proposal outlined below explains how this could be supported by the County Council. This is in line with the Government's support for the Community Transport sector and its commitment to help affected operators become compliant. It must be emphasised that the proposed scheme, however, would not be limited to the Community Transport sector. Applications from a range of private, community and voluntary groups will be considered, including individuals and business start-ups.

Proposed Scheme

The scheme aims to increase the supply of qualified minibus drivers in Derbyshire in order to:

- ensure the continuity and ongoing viability of the transport service for older and disabled people throughout Derbyshire
- provide training opportunities for people to develop new skills
- increase the availability of suitably qualified drivers in the private, community and voluntary sectors.

Specifically, it is proposed to reimburse transport operators for the costs of providing the following training:

- 1 **Driving licence for Category D (Buses) and/or unrestricted Category D1 (Minibuses)** – *these are the minimum standards required to drive respectively buses and minibuses for hire and reward.*
- 2 **Certificate of Professional Competence for drivers (“Drivers CPC”)** – *an internationally recognised qualification to improve road safety and to maintain high standards of driving. The drivers of buses and minibuses must hold a valid Drivers CPC when driving for “hire and reward”.*
- 3 **MiDAS** – *the Minibus Driver Awareness Scheme is a national standard for the assessment and training of minibus drivers.*

Contributions of up to 75% of the cost of training will be provided up to a maximum of £2,000 per driver with a ceiling of £20,000 per organisation. Requests for reimbursement will require approval prior to the training taking place and payment will be made following completion of the training on production of invoices from accredited training providers and copies of the relevant licences and certificates. Transport operators will need to confirm that they have a permanent position for any drivers trained under the scheme and that they will use their best endeavours to retain them for a minimum of 12 months following completion of the training.

All operators based or currently providing services in Derbyshire will be eligible to apply for financial assistance and requests from the private, community and voluntary sectors will be welcomed, including business start-ups.

It is difficult to estimate the level of take-up and, in order to gauge the level of interest, it is proposed that requests for support should be submitted for approval as soon as possible, and by Friday 5 January 2018 at the latest. In the event that the funding is under-subscribed, further rounds of funding will take place early in 2018.

Operators will need to be aware that there is a finite level of funding available to support this initiative and that it should be viewed as a ‘one-off’ intervention that cannot be continued for a prolonged period. In the event that the programme is over-subscribed, the County Council will need to decide on an appropriate level of funding based on an equitable distribution of resources and consideration of local needs. In some circumstances it may be necessary to reduce the level of reimbursement below 75% or to reduce the ceiling below £20,000 per company. Such amendments will be at the discretion of the Strategic Director – Economy, Transport and Environment and not subject to an appeals process.

Conclusion

This report has set out proposals for a scheme that will help to ensure that transport services will continue to be provided for some of the most vulnerable people in Derbyshire. It will also help individuals to develop their skills and, by

promoting healthy competition, help to ensure that the County Council provides the best possible value for money for the taxpayer.

An outline of the scheme is provided in this report and Cabinet is asked to authorise the Strategic Director – Economy, Transport and Environment to approve minor adjustments to the scheme as it is further developed and implemented.

(3) **Financial Considerations** The costs of supporting this training will be met from the DfT Rural Sustainable Travel Grant held within the Community Transport Revenue budget. At total of approximately £260,000 is currently available. Depending on the level of claim, this should fund training for some 150-250 drivers. The actual level of spend will depend on the level of take-up and this will be carefully monitored to ensure that the fund is not over-committed. It is important that applicants for reimbursement of training costs understand that this is a 'one-off' short-term initiative and this level of support may not be available in future years.

(4) **Legal Considerations** Consideration has been given as to whether the proposal in this report has any State Aid implications. The proposal would be open to all, including community, voluntary and commercial sectors and existing private operators and start-ups. The capacity of the market would be increased, ensuring service delivery at reasonable costs would be facilitated, for so long as the scheme could be sustained and the proposal does not distort or threaten to distort competition. In these circumstances the proposal is not considered to contravene the State Aid rules.

(5) **Human Resources Considerations** It is envisaged that the training will be provided by accredited external providers. Officer input will therefore focus on the administration and monitoring of the scheme. This can be accommodated within existing resources.

(6) **Equality and Diversity, and Health Considerations** The transport services provided by smaller vehicle/minibus operators are important in ensuring the County Council can meet its commitments to older and disabled people. The access that they provide to day care facilities helps people to remain in their own homes, reducing reliance on residential care services.

(7) **Social Value Considerations** The proposals are intended to help ensure that the County Council can continue to provide transport services for some of Derbyshire's most vulnerable residents. The training scheme will improve the skills and qualifications of local people, thereby improving their employment prospects.

Other Considerations

In preparing this report the relevance of the following factors has been considered: prevention of crime and disorder, environmental, property and transport considerations.

(8) **Key Decision** No.

(9) **Call-in** Is it required that call-in be waived in respect of the decisions proposed in the report? No.

(10) **Background Papers** Held on file within the Economy, Transport and Environment Department. Officer contact details – Steve Cannon, extension 38148.

(11) **OFFICERS RECOMMENDATIONS** That Cabinet:

11.1 Approves the Passenger Transport Driver Training Initiative, as outlined in this report, at an estimated cost of £260,000.

11.2 Authorises payments to be made in accordance with the scheme.

11.3 Authorises the Strategic Director Economy - Transport and Environment in consultation with the Cabinet Member for Highways, Transport and Infrastructure to approve minor changes that may be needed as the scheme is developed and implemented.

Mike Ashworth
Strategic Director - Economy, Transport and Environment