

additional papers 1

# Licensing Committee

Mon 29 Nov  
2010  
7.00 pm

Committee Room 2  
Town Hall  
Redditch



[www.redditchbc.gov.uk](http://www.redditchbc.gov.uk)

# Access to Information - Your Rights

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The Local Government (Access to Information) Act 1985 widened the rights of press and public to attend Local Authority meetings and to see certain documents. Recently the Freedom of Information Act 2000, has further broadened these rights, and limited exemptions under the 1985 Act.

Your main rights are set out below:-

- Automatic right to attend all Council and Committee meetings unless the business would disclose confidential or “exempt” information.
- Automatic right to inspect agenda and public reports at least five days before the date of the meeting.
- Automatic right to inspect minutes of the Council and its Committees (or summaries of business undertaken in private) for up to six years following a meeting.
- Automatic right to inspect lists of background papers used in the preparation of public reports.
- Access, upon request, to the background papers on which reports are based for a period of up to four years from the date of the meeting.
- Access to a public register stating the names and addresses and electoral areas of all Councillors with details of the membership of all Committees etc.
- A reasonable number of copies of agenda and reports relating to items to be considered in public must be made available to the public attending meetings of the Council and its Committees etc.
- Access to a list specifying those powers which the Council has delegated to its Officers indicating also the titles of the Officers concerned.
- Access to a summary of the rights of the public to attend meetings of the Council and its Committees etc. and to inspect and copy documents.
- In addition, the public now has a right to be present when the Council determines “Key Decisions” unless the business would disclose confidential or “exempt” information.
- Unless otherwise stated, all items of business before the Executive Committee are Key Decisions.
- (Copies of Agenda Lists are published in advance of the meetings on the Council’s Website:  
[www.redditchbc.gov.uk](http://www.redditchbc.gov.uk)

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**If you have any queries on this Agenda or any of the decisions taken or wish to exercise any of the above rights of access to information, please contact**

**Denise Sunman  
Committee Support Services**

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# Welcome to today's meeting.

## Guidance for the Public

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### **Agenda Papers**

The **Agenda List** at the front of the Agenda summarises the issues to be discussed and is followed by the Officers' full supporting **Reports**.

### **Chair**

The Chair is responsible for the proper conduct of the meeting. Generally to one side of the Chair is the Committee Support Officer who gives advice on the proper conduct of the meeting and ensures that the debate and the decisions are properly recorded. On the Chair's other side are the relevant Council Officers. The Councillors ("Members") of the Committee occupy the remaining seats around the table.

### **Running Order**

Items will normally be taken in the order printed but, in particular circumstances, the Chair may agree to vary the order.

**Refreshments** : tea, coffee and water are normally available at meetings - please serve yourself.

### **Decisions**

Decisions at the meeting will be taken by the **Councillors** who are the democratically elected representatives. They are advised by **Officers** who are paid professionals and do not have a vote.

### **Members of the Public**

Members of the public may, by prior arrangement, speak at meetings of the Council or its Committees. Specific procedures exist for Appeals Hearings or for meetings involving Licence or Planning Applications. For further information on this point, please speak to the Committee Support Officer.

### **Special Arrangements**

If you have any particular needs, please contact the Committee Support Officer.

Infra-red devices for the hearing impaired are available on request at the meeting. Other facilities may require prior arrangement.

### **Further Information**

If you require any further information, please contact the Committee Support Officer (see foot of page opposite).

### **Fire/ Emergency instructions**

**If the alarm is sounded, please leave the building by the nearest available exit – these are clearly indicated within all the Committee Rooms.**

**If you discover a fire, inform a member of staff or operate the nearest alarm call point (wall mounted red rectangular box). In the event of the fire alarm sounding, leave the building immediately following the fire exit signs. Officers have been appointed with responsibility to ensure that all visitors are escorted from the building.**

**Do Not stop to collect personal belongings.**

**Do Not use lifts.**

**Do Not re-enter the building until told to do so.**

**The emergency Assembly Area is on Walter Stranz Square.**

# Declaration of Interests: Guidance for Councillors

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DO I HAVE A "PERSONAL INTEREST" ?

- Where the item relates or is likely to affect your **registered interests** (what you have declared on the formal Register of Interests)

**OR**

- Where a decision in relation to the item might reasonably be regarded as affecting **your own** well-being or financial position, or that of your **family**, or your **close associates** more than most other people affected by the issue,

you have a personal interest.

WHAT MUST I DO? **Declare the existence, and nature, of your interest and stay**

- The declaration must relate to specific business being decided - a general scattergun approach is not needed
- **Exception** - where interest arises only because of your membership of another **public body**, there is no need to declare unless you **speak** on the matter.
- You **can vote** on the matter.

IS IT A "PREJUDICIAL INTEREST" ?

In general only if:-

- It is a personal interest **and**
- The item affects your **financial position** (or conveys other benefits), or the position of your **family, close associates** or bodies through which you have a **registered interest** (or relates to the exercise of **regulatory functions** in relation to these groups)

**and**

- A member of public, with knowledge of the relevant facts, would reasonably believe the interest was likely to **prejudice** your judgement of the public interest.

WHAT MUST I DO? **Declare and Withdraw**

BUT you may make representations to the meeting before withdrawing, **if** the public have similar rights (such as the right to speak at Planning Committee).



# Licensing Committee

29th November 2010  
7.00 pm

Committee Room 2 Town Hall

**6. Knowledge Test for  
Hackney Carriage and  
Private Hire Drivers**

(Pages 54 - 69)

Head of Worcestershire  
Regulatory Services

To consider updating the existing “knowledge” test required of applicants for a Hackney Carriage Driver’s Licence by adding an “essential skills” test; extending its application to include applicants for a Private Hire Driver’s Licence and related matters.

(Report attached)

**(No Specific Ward Relevance)**



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**KNOWLEDGE TEST FOR HACKNEY CARRIAGE AND PRIVATE HIRE  
DRIVERS**

Relevant Portfolio Holder	Councillor Juliet Brunner
Relevant Head of Service	Steve Jorden, Head of Worcestershire Regulatory Services.
Non-Key Decision	

**1. SUMMARY OF PROPOSALS**

- 1.1 To consider updating the existing “knowledge” test required of applicants for a Hackney Carriage driver Driver’s Licence by adding an “essential skills” test; to extend its application to include applicants for a Private Hire driver Driver’s Licence who are not currently asked to take the test; and to enable Members to require existing Private Hire Driver Licence holders, who appear before the Committee to take the test.

**2. RECOMMENDATIONS**

The Committee is asked to **RECOMMEND** that

- 1) for all new applications for Hackney Carriage and Private Hire Driver Licences received after 1st March 2011 the “fit and proper” person policy be amended to require all applicants to take a knowledge test in order to enable the Council to judge if they are fit and proper to hold a licence;

and **RESOLVE** that

- 2) the existing “knowledge” test be amended to incorporate an “essential skills” test in the form set out in Appendix 1; and
- 3) should an existing Private Hire vehicle Driver be referred by Officers to the Committee, that the Committee may require that they take the knowledge test, if the Committee consider it necessary for them to do so.

**3. BACKGROUND**

- 3.1 Currently Redditch Borough Council requires applicants for a Hackney Carriage Driver’s Licence to take a “knowledge” test as part of the assessment process to establish that they are “fit and proper” to hold such a licence.

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3.2 The current "Knowledge" test consists of three parts:-

Part 1 - You will be given a map on which names of streets and popular locations in the Redditch Borough have been blanked out. You will be required to identify these locations.

Part 2 - You will be given four locations and you will be asked to describe the shortest convenient route to be taken from the start of the journey to the final destination.

Part 3 - You will be required to answer a number of questions relating to the law, regulations and conditions relating to Hackney Carriage and Private Hire Vehicles and drivers.

3.3 Currently applicants for a Private Hire vehicle Driver's Licence are not asked to take any knowledge test.

3.4 The Council needs to ensure that all drivers within the borough have suitable skills and abilities to be able to provide a good service to the community.

3.5 On occasions when an existing Private Hire Licence holder has been referred to the Committee, concerns have been expressed about the licence holder's apparent lack of ability to communicate effectively.

3.6 On those occasions, Members have asked whether it would be possible to require the licence holder to take a skills test that would ensure that the driver has the skill and ability to communicate effectively with their passenger and provide an acceptable level of service all passengers.

3.7 Currently, Private Hire Drivers will not have had to take the knowledge Test in order to obtain their driver's licence and it is not current policy to request that to do so should they come before the Committee and their communications skills appear to be poor.

3.8 The Licensing Manager has advised the Taxi Drivers' Association that the Council may extend the knowledge test to applicants for Private Hire Vehicle Drivers Licence and to amend the current knowledge test to include an essential skills assessment and the response has been positive.



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- 3.9 Officers have looked at a number of “essential skills” tests applied in other licensing authorities and Officers recommend adoption of the test set out in Appendix 1

**4. KEY ISSUES**

- 4.1 Members should be satisfied that all driving licence holders, for Hackney carriage or Private Hire vehicles, are Fit and Proper persons to hold a licence, with suitable skills and abilities to be able to provide a good service to the community.
- 4.2 Members are asked to consider whether the existing knowledge test, currently only applied to applicants for Hackney Carriage Driver’s Licence, should also include an essential skills assessment, as set out at Appendix 1.
- 4.3 Members are also asked to decide whether, in future, they wish to require applicants for a Private Hire vehicle Driver’s Licence to pass the “knowledge” test described in 4.2.
- 4.4 Members also need to consider whether it is reasonable to require an existing Private Hire Driver (who will not have taken a “knowledge” test) to take such a test if they have been referred to the Committee and the Committee becomes concerned at an apparent lack of ability to communicate effectively and provide a good standard of service to passengers.
- 4.5 Members should consider the content of the “essential skills” assessment to be incorporated into the existing “knowledge” test and decide if they are satisfied that it is reasonable to require all future applicants to take it.
- 4.6 Current Handbook provisions regarding re-testing will apply to existing licence holders who are directed to take the test.

**5. FINANCIAL IMPLICATIONS**

The Taxi Handbook will have to be amended and printed copies of the relevant pages issued to Drivers to update their Handbooks.

**6. LEGAL IMPLICATIONS**

- 6.1 Under Sections 51 and 59 of the Local Government (Miscellaneous Provisions) Act 1976 licensing authorities are required to ensure that

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persons issued with licences to drive hackney carriage and private hire vehicles are “fit and proper” with suitable skills and abilities to be able to provide a hire and reward service to the community as a whole.

- 6.2 “Fit and proper” is not defined in the legislation and essentially it is for each Council, acting reasonably, to set the standard to be applied in its area. Members should be satisfied that there is a genuine requirement for drivers to have these essential skills and the test will be lawful if universally applied.

**7. POLICY IMPLICATIONS**

Adoption of the recommendations will change existing policy.

**8. COUNCIL OBJECTIVES**

Safety of the community is a key objective of the Council

**9. RISK MANAGEMENT INCLUDING HEALTH & SAFETY CONSIDERATIONS**

Risk is to the level of Service Provided to the community and ensuring consistent standards is the primary justification for these proposals.

**10. CUSTOMER IMPLICATIONS**

Improved customer service to the community should be ensured by adoption of the recommended alterations to existing policy.

**11. EQUALITIES AND DIVERSITY IMPLICATIONS**

The impact of the proposed policy changes is considered in relation to the three key objectives of eliminating unlawful racial discrimination; promoting equal opportunities and promoting good relations between people from different racial groups.

The proposed changes to policy will apply equally to persons from all minority groups who apply for drivers licences.

It is acknowledged that a large number of applicants in the Borough for hackney carriage and private hire vehicle drivers licences do not speak English as a first language and the application of the communications skills test may present more of a barrier to those applicants. However, passing

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the knowledge test is considered as a positive initiative by increasing driver's knowledge and skill base, which will benefit both the driver and their potential customers.

**12. VALUE FOR MONEY IMPLICATIONS, PROCUREMENT AND ASSET MANAGEMENT**

None

**13. CLIMATE CHANGE, CARBON IMPLICATIONS AND BIODIVERSITY**

None

**14. HUMAN RESOURCES IMPLICATIONS**

None

**15. GOVERNANCE/PERFORMANCE MANAGEMENT IMPLICATIONS**

None

**16. COMMUNITY SAFETY IMPLICATIONS INCLUDING SECTION 17 OF CRIME AND DISORDER ACT 1998**

No direct implications.

**17. HEALTH INEQUALITIES IMPLICATIONS**

None

**18. LESSONS LEARNT**

The proposal that existing licence holders can be asked to take a skills test has arisen as a result of Members' concerns about communications skills generally and the proposals should improve those skills where required.

**19. COMMUNITY AND STAKEHOLDER ENGAGEMENT**

The Licensing Committee contributes to raising standards of service delivery and encouraging confidence in the community by deciding what it asks of Licence applicants for them to be able to be a licensed driver.

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**20. OTHERS CONSULTED ON THE REPORT**

Portfolio Holder	Yes
Chief Executive	Yes
Executive Director (S151 Officer)	
Executive Director – Leisure, Cultural, Environmental and Community Services	
Executive Director – Planning & Regeneration, Regulatory and Housing Services	Yes
Director of Policy, Performance and Partnerships	
Head of Service	Yes
Head of Resources	
Head of Legal, Equalities & Democratic Services	Yes
Corporate Procurement Team	

**21. WARDS AFFECTED**

All

**22. APPENDICES**

Appendix 1 - Proposed Essential Skills test

**23. BACKGROUND PAPERS**Local Government (Miscellaneous Provisions) Act 1976  
Redditch Borough Council Taxi Handbook

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**AUTHOR OF REPORT**

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## APPENDIX A

### Taxi - Essential Skills Assessment

The following assessment is based on the essential skills a taxi driver needs to provide a high quality service to customers.

The assessment is split into 4 sections

1. Money and finance
2. Receipts and paperwork
3. Directions
4. Using an A-Z

Take your time to read the question carefully and, where appropriate, select the correct answer from the choices below each question.

You have 30 minutes to complete the assessment.

#### Section 1 – Money and Finance

##### Q1

A passenger gives you a £20 note for a journey costing £11.65p.  
How much change should you give?

- A £8.35p
- B £8.45p
- C £9.35p
- D £8.55p

















##### Q2

A journey costs £18.70p. The passenger gives you two £10 ten pound notes,  
How much change should you give?

- A £2.30p
- B £3.20p
- C £1.30p
- D £4.30p














**Q3**

A journey costs £9.05 and the passenger gives you a £10 note. Which of the following is the correct change?

- A  +  +  + 
- B  +  +  + 
- C  +  +  + 
- D  +  +  + 

**Q4**

A journey costs £18.45p and you are given £20 by the passenger. How much change should they receive?

- A  +  + 
- B  +  +  + 
- C  +  + 
- D  +  + 



**Section 2 – Receipts and Paperwork**

**Q5**

You charge £2.00 per mile and your passenger Mr SMITH asks you for a receipt for his 10 mile journey. Please complete the receipt details below.

<p><b>Received from</b>.....</p> <p><b>Amount</b>.....</p> <p><b>Signed</b>.....</p>
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**Q6**

If you are working as a private hire driver and you are involved in an accident with another car, what details should you exchange with the other driver?

- A - Your contact details and your insurance details
- B - Your contact details
- C - Your company name
- D - Your car registration and company name

**Q7**

**9.a Signing your photograph**

To obtain a driving licence, you must supply a photograph and proof of identity. The photograph must be signed unless you are providing a UK passport for identification purposes.

**Warning:** The person who signs your photograph must have known you personally for at least two years, and must not be a relative or a member of the Post Office staff processing the application.

From what you have read, do you need to have your photograph signed if you are providing a UK passport for identification purposes?

- Yes  No  Can't tell

**Q8**

Your company asks you to add up how much they have to pay you for the week. Use the table below to calculate the total payment they have to give you.

Mon	Tues	Wed	Thurs	Fri	Sat	Sun
£50	£42.50	£63	£102.50	£135.50	£110	0

- A - £503.50p   
 B - £400.50p   
 C - £282.00p   
 D - £305.50p

**Q9**

You see the following notice in the licensing office.

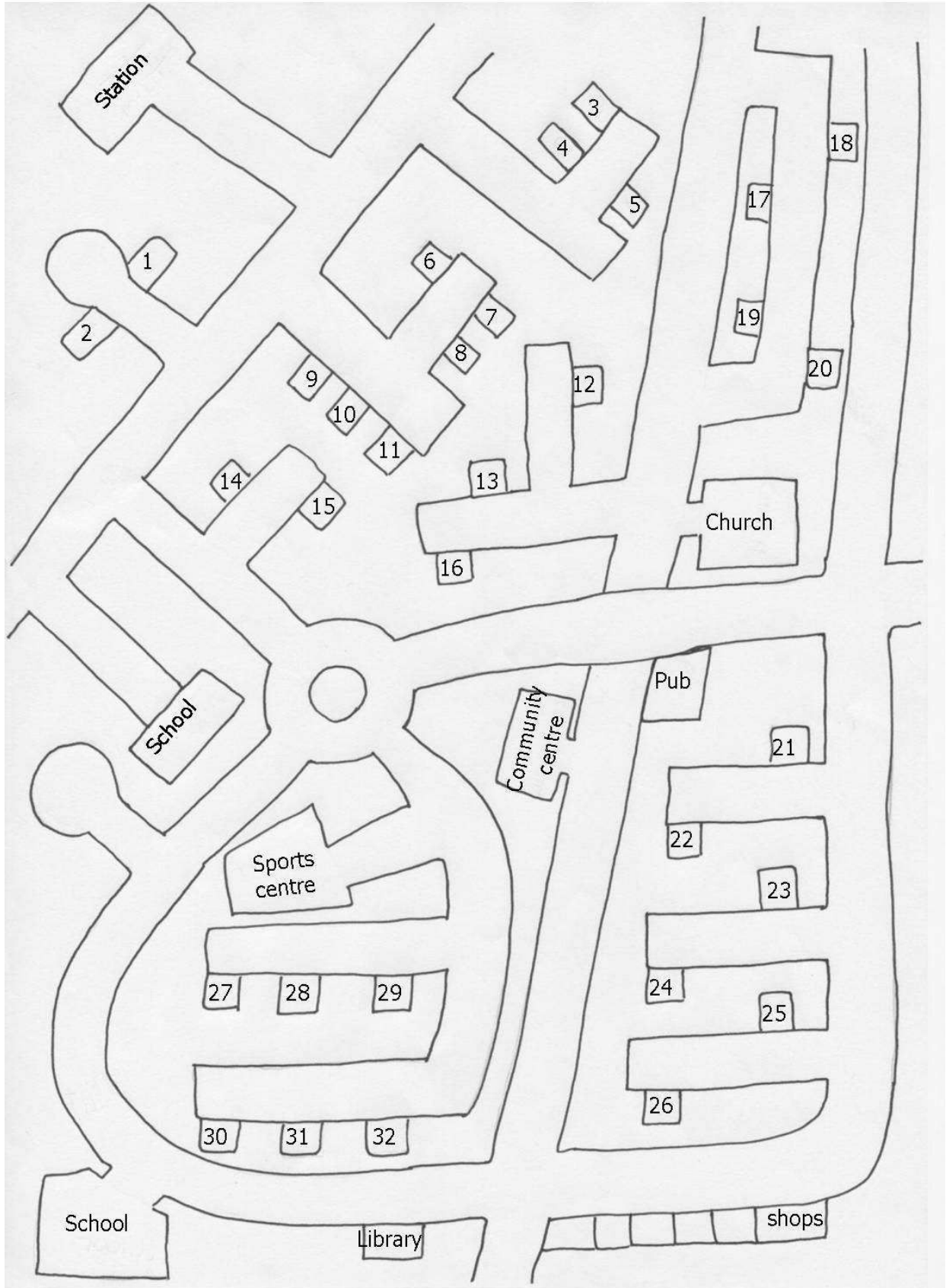
There was an incident in the centre on Friday night between ten and eleven in the evening.  
 A driver was attacked and police are looking for witnesses.  
 If you were in town during this time please call the police in case you are able to help with enquiries.

You were in the area between 10pm and 11pm, what should you do?

- A – Contact the police   
 B – Contact the licensing office   
 C – Nothing – you didn't see anything   
 D – Talk to your company office

**Section 3 – Directions**

Use the map below to answer questions 11-15.



**Q10**

You are given the following directions, Which house do you arrive at?  
"From the station, take a right then second left. Turn down the road on the left and the house is on the left hand side."

- A – 14
- B – 15
- C – 6
- D – 4

**Q11**

What is the correct route from the school to the sports centre?

- A  Left onto the main road, third exit from the roundabout and then first right.
- B  Left onto the main road, second exit from the roundabout and then first left.
- C  Right onto the main road, left at the junction and under the bridge on the right.
- D  Left onto the main road, third exit from the roundabout and then first left.

**Q12**

You are given the following directions, Which house do you arrive at?  
"From the pub go towards the church, take the right after that and I live in the second house on the left."

- A – 20
- B – 19
- C – 18
- D – 17

**Q13**

You are given the following directions, where do you arrive?  
"from the library go right and then straight across the junction, follow the road and take the forth turning on the left, at the roundabout take the first exit and then the first right."

- A – The church
- B – House 16
- C – The sports centre
- D – House 29

**Q14**

What are the correct directions from the church to the shops

- A  Go right and then take the first left .
- B  Go left take the first right and then right again.
- C  Go left up the road and take the first right hand turn.

D  go left up the road and take the second right.

**Section 4 – Using an A-Z**

Use the A-Z provided to find grid references and page numbers for the following streets

**Q15**

[Name of Street]

Answer.....

**Q16**

[Name of Street]

Answer.....

**Q17**

[Name of Street]

Answer.....

**Q18**

[Name of Street]

Answer.....

**Q19**

[Name of Street]

Answer.....

