

REDDITCH BOROUGH COUNCIL

**LICENSING
COMMITTEE**

29th November 2010

**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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