

**BRIDGEND COUNTY BOROUGH COUNCIL**

**REPORT TO LICENSING COMMITTEE**

**13 AUGUST 2019**

**REPORT OF THE HEAD OF LEGAL AND REGULATORY SERVICES**

**HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS' KNOWLEDGE TEST**

**1. Purpose of Report.**

- 1.1 To provide details of the current application procedure for the grant of a Hackney Carriage/Private Hire Driver's Licence, and to seek Members' approval to introduce a staged implementation of a Knowledge Test for all new applicants.

**2. Connection to Corporate Improvement Objectives/Other Corporate Priorities**

- 2.1 The proposals are necessary to enable the Council to discharge its functions as a taxi licensing authority.

**3. Background**

- 3.1 Under Sections 51 and 59 of the Local Government (Miscellaneous Provisions) Act 1976 licensing authorities are required to ensure that persons issued licences to drive hackney carriages and private hire vehicles are "fit and proper" with suitable skills and abilities to provide a hire and reward passenger service to the community as a whole in Bridgend County Borough Council (BCBC).

- 3.2 The role and responsibilities of a hackney carriage/private hire driver demands high standards in driving and customer service. Such competencies can impact on both public safety, comfort and passenger experience; particularly for the vulnerable, those with disabilities and other medical conditions. Therefore, professional drivers require relevant knowledge, skills and experience to safely and effectively discharge their role and responsibilities.

- 3.3 A number of authorities in Wales require new applicants to pass a knowledge test, including: Swansea, Neath and Port Talbot, Cardiff, Vale of Glamorgan, Monmouthshire, Rhondda Cynon Taff, Powys, Merthyr Tydfil, Caerphilly, Blaenau Gwent.

- 3.4 Driver competency should encompass the following criteria:

(a) Taxi fares are usually related to the time and distance travelled and it is therefore appropriate to ensure that licensed drivers know the shortest and/or most expedient route(s) to avoid unnecessarily high fares being charged to the customer;

(b) Licensed drivers do not generally have the opportunity to check the details of a route before it commences; and road works, diversions, traffic jams,

traffic accidents etc. mean that it is not always appropriate to rely on satellite navigation equipment or similar;

- (c) It is essential for public safety that all licensed drivers can communicate in English at an appropriate level. Drivers must be able to communicate with passengers to discuss a route, or fare, as well as reading and understanding important regulatory, safety and travel information;
- (d) As driver duties may also involve the handling and exchange of money and the giving of change, it is essential that they possess a reasonable ability in numeracy;
- (e) Awareness of duties under the Equality Act 2010 should be tested, so that the needs of disabled passengers can be met at all times;
- (f) Following the findings of the Jay and Casey reports, which related to Child Sexual Exploitation in Rotherham, Councils are being encouraged to provide some training to taxi drivers on children and vulnerable adult safeguarding, to include child sexual exploitation.

#### **4. Current situation / proposal**

- 4.1 Currently, applicants for a licence to drive a Hackney Carriage (HC) or Private Hire (PH) Vehicle within BCBC are required to undertake a short numeracy and literacy test followed by a half day Driver Awareness Course (DAC) which outlines the responsibilities of a taxi driver. The course includes equalities duties.
- 4.2 There is currently no verification of whether an applicant has understood the DAC and the proposed Knowledge Test will enable a more robust assessment to be completed. It is therefore proposed that the existing numeracy/literacy test and the Council's Driver Awareness Course (DAC) are replaced by the introduction of a Knowledge Test. The test will apply to new applicants only and not to renewal and therefore no approval to consult the trade is proposed.
- 4.3 It is proposed that the taxi driver's Knowledge Test covers a variety of relevant topics:
  - Numeracy/literacy questions
  - Hackney Carriage & Private Hire Legislation
  - Location of Buildings and Places of Interest / Location of Streets in the County Borough
  - Disability and Equality Awareness
  - Safeguarding
  - Routes within the County Borough and to major places of interest outside the County Borough e.g. airports, cultural and sporting venues.

The licensing authority will set the number of questions for each topic, pass rates and time limits. The training material will be provided as part of the application process.

- 4.4 To allow applicants to reflect upon the test questions and / or prepare more thoroughly, the licensing authority will allow, where eligible, applicants that fail any part of the Knowledge Test to re-sit a different test after a suitable period.
- 4.5 The licensing authority will allow applicants to take up to a maximum of three separate tests in a six month period. Unless there are exceptional circumstances, the licensing authority will refuse to grant a hackney carriage and/or private hire driver's licence to any individual who does not pass the test within these limits.
- 4.6 If an applicant has previously held a drivers' licence it is proposed the following criteria should be met:
- a) If it is six months or less since their previous drivers' licence expired – new applicants will not be required to take the Knowledge Test.
  - b) If it is more than six months since their previous drivers' licence expired – new applicants will be required to take the Knowledge Test.
- 4.7 By way of ensuring that these tests do not comprise an unnecessarily high obstacle or barrier of entry into the trade, the licensing authority will seek to keep the tests under review and ensure that the stringency of each test reflects the complexity or otherwise of local geography and highway infrastructure.
- 4.8 Most authorities that have a Knowledge Test charge an additional fee to drivers to cover the administrative costs of the test. It is proposed that the cost of the first and subsequent two attempts is £25 and that the fee structure is amended accordingly. (The current DAC course fee is £35)
- 4.9 It is also proposed that failure to attend an appointment for a test without giving at least 48 hours' notice will require the applicant to pay a £10.00 booking fee if they wish to arrange a further test.
- 4.10 It is proposed that the Knowledge Test is introduced with effect from 1 November 2019.

## **5. Effect upon Policy Framework & Procedure Rules.**

- 5.1 None.

## **6. Equality Impact Assessment**

- 6.1 An Equality Impact Screening has been undertaken to establish if this proposal will impact on one or more of the protected characteristics. The screening has identified that the introduction of a written test may impact on applicants with literacy or numeracy issues. However measures have been put in place to mitigate the risk through multiple test opportunities and appropriate signposting to courses and support for candidates. Application failure rates will be monitored to inform a full EIA once the test has been implemented.

## **7. Well-being of Future Generations (Wales) Act 2015 Implications**

- 7.1 The well-being goals identified in the Act were considered in the preparation of this report. It is considered that there will be no significant or unacceptable impacts upon the achievement of well-being goals/objectives as a result of this report.

## **8. Financial Implications.**

- 8.1 A fee has been set to recover the cost of administering the test and retests.

## **9. Recommendation.**

The Committee is recommended to:

- 9.1 Approve the proposal to introduce a Knowledge Test as part of new hackney carriage/private hire driver's licence application process;
- 9.2 Approve the introduction of a £25 fee as cost for the first and subsequent two test attempts;
- 9.3 Approve the introduction of a £10 fee as cost for the failure to attend a booked test without giving 48 hours' notice;
- 9.4 Approve that the final details and content of the Knowledge Test is delegated to the Head of Legal and Regulatory Services and resolve that the Knowledge Test is introduced from 1<sup>st</sup> November 2019.

**Kelly Watson**  
**HEAD OF LEGAL AND REGULATORY SERVICES**

**7 August 2019**

**Contact Officer:** Ilaria Agostini-Green  
Senior Licensing Officer (Enforcement)

**Telephone:** (01656) 643643

**E-mail:** [ilaria.agostini-green@bridgend.gov.uk](mailto:ilaria.agostini-green@bridgend.gov.uk)

**Postal Address** Civic Offices, Angel Street, Bridgend, CF31 4WB

### **Background documents:**

Independent Inquiry into Child Sexual Exploitation in Rotherham:  
[https://www.rotherham.gov.uk/downloads/file/1407/independent\\_inquiry\\_cse\\_in\\_rotherham](https://www.rotherham.gov.uk/downloads/file/1407/independent_inquiry_cse_in_rotherham)

Report of Inspection of Rotherham Metropolitan Borough Council:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/401125/46966\\_Report\\_of\\_Inspection\\_of\\_Rotherham\\_WEB.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/401125/46966_Report_of_Inspection_of_Rotherham_WEB.pdf)