

LICENSING COMMITTEE - TUESDAY, 13 AUGUST 2019

MINUTES OF A MEETING OF THE LICENSING COMMITTEE HELD IN COMMITTEE ROOMS 2/3, CIVIC OFFICES ANGEL STREET BRIDGEND CF31 4WB ON TUESDAY, 13 AUGUST 2019 AT 09:30

Present

Councillor – Chairperson

PA Davies	RM James	RJ Collins	G Thomas
AA Pucella	MJ Kearn	TH Beedle	

Apologies for Absence

DRW Lewis, JE Lewis, B Jones, JE Williams, A Hussain and JR McCarthy

Officers:

Ilaria Agostini-Green	Senior Licensing Enforcement Officer
Katia Daw	Lawyer
Yvonne Witchell	Team Manager Licensing
Michael Pitman	Business & Administrative Apprentice

34. DECLARATIONS OF INTEREST

None

35. APPROVAL OF MINUTES

RESOLVED: That the minutes of the meetings dated 18/02/2019 and 21/05/2019 be approved as a true and accurate record.

36. HACKNEY CARRIAGE/PRIVATE HIRE DRIVERS' KNOWLEDGE TEST

The Senior Licensing Enforcement Officer presented a report which provided details of the current application procedure for the grant of a Hackney Carriage/Private Hire drivers licence and sought approval to introduce a staged implementation of a Knowledge Test for all new applicants.

The Senior Licensing Enforcement Officer explained that 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).

The Senior Licensing Enforcement Officer explained that many of the Local Authorities in Wales already provide a knowledge test for new applicants. These include Swansea, Neath and Port Talbot, Cardiff, Vale of Glamorgan, Monmouthshire, Rhondda Cynon Taff, Powys, Merthyr Tydfil, Caerphilly, Blaenau Gwent.

She explained that driver competency should encompass a variety of criteria; such was listed in section 3.4 of the report.

The Senior Licensing Enforcement Officer explained that the current proposal for content that the taxi driver’s Knowledge Test would cover were as follows:

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- 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.

She explained that there would be training material provided as part of the application process. She advised that each of the topics listed would have a number of questions related to that topic.

The Senior Licensing Enforcement Officer referred members to 4.3 of the report which detailed a number of proposals relating to the knowledge test and welcomed any questions regarding these.

The Legal Officer requested clarity on section 4.8 of the report regarding fees. She asked Officer if the cost of the test and subsequent two attempts of £25 was a single fee or if it related to each test.

The Team Manager (Licensing) explained that the £25 fee was for each test taken and agreed to amend the wording of this paragraph to improve transparency of fees and avoid confusion.

A Member asked if an applicant failed to turn up to their test, how the Licensing Officers were going to enforce the £10 booking fee.

The Team Manager (Licensing) explained that if the applicant were to book a second test, the charge would be made then. She added if the applicant decided that they did not want to pursue with their application, e.g. acquired a different job, there would be no simple or convenient way of obtaining the charge.

A Member asked if there was a genuine case of illness, would the applicant still have to pay the £10 booking fee.

The Team Manager (Licensing) explained that these cases would go to the Head of Legal and Regulatory Services for review to determine genuine cases of illness. It would be dealt with fairly and objectively in every case.

A Member asked if there would be a need for a driver who had already taken/passed the knowledge test to retake a test after a period of time for any reason.

The Team Manager (Licensing) explained that there were no current plans to issue follow up tests to drivers. She added that if there were significant changes to routes in Bridgend/surrounding areas or changes in legislation then there may be reason to provide additional tests. She explained that this would be a topic for discussion on review of the test as was indicated in section 4.7 of the report.

A Member asked if the Licensing Committee would have chance to view the test before it becomes the standard on 1st November 2019.

The Team Manager (Licensing) explained that the reading material would be made available on the Council website. She agreed on providing either material with example questions and/or a follow up report to the Licensing Committee may be beneficial.

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A Member welcomed the report. He expressed his concerns with the current situation in that occasionally newly licenced taxi drivers have not always been competent with the common routes in and around the Bridgend area. He believed that the knowledge test would be a valuable asset for new taxi drivers rather than a burden.

A Member asked if the current taxi trade had been consulted

The Senior Licensing Enforcement Officer explained that as the knowledge test would not affect existing taxi drivers and as such, they were not consulted.

A Member proposed that the taxi companies should be made aware of the knowledge test.

The Team Manager (Licensing) explained that the taxi companies would be informed that the knowledge test is to be introduced so that they are kept in the loop with the current affairs. She explained that they could also direct the new applicants on where to find the material online.

A Member affirmed that if the Licensing Committee learned about the specific details on the knowledge test, Members may be able to provide more help/guidance to their constitutions if they had a query relating to a taxi driver or a journey they have travelled etc.

A Member asked how the test will be formatted and how it would be taken

The Team Manager (Licensing) explained that there are four papers currently prepared. Each paper will be slightly different questions so that there is some variety but would cover the same topics. She explained that the test itself would be held under traditional exam conditions where they would be alone in a room, a maximum time limit to complete the test, no phones allowed in the room etc.

A Member asked if the test is unique to Bridgend or is it the same as other Local Authorities

The Team Manager (Licensing) explained that the test will follow the same style of questions as well as a similar structure, however, the questions related to routes will be more applicable to Bridgend and the trends that go with Bridgend as opposed to cities like Cardiff or Swansea.

A Member asked if there is likely to be a rush of applications coming in before the implementation date

The Team Manager (Licensing) explained that the it is inevitable that there will be an influx in applicants wishing to apply to be a taxi driver before the knowledge test becomes available, however they did not envisage this to be a major concern.

The Legal Officer agreed that there was no way to avoid something like this happening. She said that there has to be a plan and period of time given to correctly and efficiently implement the knowledge test so there may well be some quick applications coming in before the test is available.

A Member asked if there was any sort of pass requirements, for example, a percentage.

The Senior Licensing Enforcement Officer explained that there would be a pass percentage requirement of 80%. She explained that the test was not meant to be difficult

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but drivers were expected to study the material provided. A Member said that it was in their best interest to learn the common routes of Bridgend.

The Team Manager (Licensing) explained that the pass requirement, as well as the content of the test, would be under regular review to ensure that it remained suitable in respect of difficulty and content.

A Member asked what was an example of a 'common route' that may appear on the test

The Senior Licensing Enforcement Officer provided an example journey of Bridgend Train Station to Princess of Wales Hospital and vice versa.

She explained that this was a popular route with many different ways to drive so this was an important journey for taxi drivers to understand what the best route to take was to avoid overcharging the customer.

RESOLVED: That the Licensing Committee approved the following:

- The proposal to introduce a Knowledge Test as part of new hackney carriage/private hire driver's license application process;
- The introduction of a £25 fee for each test attempt as cost for the first and subsequent two test attempts (maximum of £75);
- The introduction of a £10 fee as cost for the failure to attend a booked test without giving 48 hours' notice;
- 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 1st November 2019.

37. URGENT ITEMS

None.