

## Chichester District Council

### General Licensing Committee

22 March 2017

#### Update regarding review of the Council's current Taxi and Private Hire Licensing Policy and Conditions

#### 1. Contact(s)

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#### 2. Executive Summary

- A) This report provides an update in relation to the activities of the working group tasked with reviewing the Council's current Taxi & Private Hire licensing policy and conditions.
- B) In addition, seek approval for the implementation of a knowledge test for Private Hire Drivers upon first application.

#### 3. Recommendations

- 3.1 That Members consider and approve the implementation of a knowledge test for new applicants applying for a Private Hire Driver Licence.**

#### 4. Main Report

- 4.1 As Members will recall approval was granted for the Licensing Team to embark upon a review of its taxi and private hire licensing policy.
- 4.2 A Working Group has been established, consisting of Members from the Licensing (General Purposes) Sub-Committee, as well as, representatives from the Licensing Team and Legal Services.
- 4.3 The purpose of the working group has been to enable officers to obtain a view as to how the General Licensing Committee would like to see the existing policy and conditions develop.
- 4.4 The working group subsequently met on three separate occasions between November 2016 and January 2017.
- 4.5 Minutes from the two main meetings are provided at **Appendix 1** and **Appendix 2**. This provides a summary of the matters discussed and the general views expressed by the working group.

- 4.6 The licensing team, in conjunction with legal services, is currently in the process of producing an initial draft of a revised policy and conditions, based around the initial discussions of the working group. Once completed the revised policy will be placed before the Licensing (General Purposes) Committee for further comment, prior to initiating a consultation with the trade and other key stake holders.

### **Knowledge Test**

- 4.7 At the current time, Chichester District Council (The 'Council') does not require new applicants for a Private Hire Driver Licence to sit a knowledge test, albeit the mechanism exists within the current written policy. It is now the intention to fully implement this for new Private Hire Driver Licence applicants.
- 4.8 Under our current procedures the applicant is granted a Private Hire Driver Licence, so long as a satisfactory Criminal Record Certificate, medical report and driving assessment are submitted and the applicant satisfies the 'fit and proper' person test, without the need to undergo a knowledge test.
- 4.9 Neighbouring Local Authorities, such as Arun DC, Havant BC, East Hants DC all require applicants for Private Hire Driver Licences to pass a knowledge test. Consequently, a trend is emerging whereby an increasing number of applications are being submitted to Chichester District Council by persons wanting to avoid having to pass a knowledge test with the Local Authority where they ordinarily reside.
- 4.10 Officers initial thoughts are that the test will be designed to assess an applicant's understanding of the following:
- Taxi/PH law,
  - The Council's own policy and requirements,
  - The Highway Code and road signs,
  - Basic literacy and numeracy, and
  - Local knowledge of the District.

This is based upon the sections that form part of this Council's own hackney carriage knowledge test, as well as looking at the areas that other Councils test on.

- 4.11 Officers have already met with an organisation called Diamond who supply a number of Local Authorities, such as Winchester, Southampton and Arun with a computerised version of a knowledge test. The questions are set by the Council, although Diamond do have standard questions that relate to the highway code, road signs, legislation, which can be used as an initial template for the knowledge test. The Licensing Team can provide some basic tailored local geographical questions that can be incorporated into the system.
- 4.12 The benefits of the system are as follows:
- Complete flexibility in terms of how many sections form the knowledge test and the theme of each section.
  - The Council has complete discretion over what the pass mark is. The system enables a pass mark to be set for each individual section if required.
  - The questions are selected at random from a bank of questions.

- The questions are multiple choice and the system will randomise the order of answers each time.
- Photos and pictures can be uploaded to base questions on.
- The candidate is required to input a driving licence number or case reference number to verify their identity before taking the test.
- The system records the answers given by the candidate during the test. This can be easily accessed by the licensing team in case there is a query or challenge.
- The system allows for statistical analysis of the questions in terms of how many times it has been answered correctly. This assists officers with assessing the degree of difficulty for a question and whether any adjustments are required.

- 4.13 It is important that the nature and difficulty of the knowledge test is carefully considered to ensure that it does not become a barrier to entry for suitable applicants.
- 4.14 Further consideration will need to be given to the fee charged for the knowledge test. This is likely to be based on the fee currently charged for the hackney carriage knowledge test, which is £41.
- 4.15 Officers will send an email this week to all licensed drivers, operators and key stakeholders advising them of the proposed implementation of the private hire knowledge test and invite them to make comment if they so wish. A summary of responses will be provided at the meeting. We will also advise in the correspondence that this is a public meeting so any person is permitted to attend to observe proceedings. In addition there is the ability to submit a public question and ask this directly to Members and Officers, if they so wish.

## **5. Conclusion**

- 5.1 It is felt that the introduction of a private hire knowledge test is now appropriate in order to help raise awareness and improve standards in relation to those persons entering the private hire profession for the first time.
- 5.2 It is acknowledged that such a test will need to be constantly tested and reviewed throughout development and implementation in order to ensure that the test does not deter suitable candidates from applying.
- 5.3 If Members are minded to approve the recommendation then Officers will investigate further the merits of the computerised knowledge test, with a view towards implementation, once development and testing has been completed. An update will be provided at the next meeting.

## **6. Background Papers**

- 6.1 Department for Transport – Taxi and Private Hire Vehicle Licensing - Best Practice Guidance (March 2010)  
<https://www.gov.uk/government/publications/taxi-and-private-hire-vehicle-licensing-best-practice-guidance>
- 6.2 Button on Taxis: Licensing Law and Practice (Third Edition)

- 6.3 Rotherham Licensing Policy (July 2015) – Considered best practice by the Local Government Association  
<https://www.rotherham.gov.uk/taxi>
- 6.4 Chichester District Council – Existing Taxi and Private Hire Policy and Conditions  
<http://www.chichester.gov.uk/article/25500/Taxi-and-private-hire-licensing---legislation-conditions-and-policy>

## **7. Appendices**

Appendix 1 – Taxi Working Group – Driver minutes (17.11.16)

Appendix 2 – Taxi Working Group – Vehicle minutes (08.12.16)