

Public Document Pack

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A meeting of **General Licensing Committee** will be held in the Old Court Room, The Council House (Chichester City Council), North Street, Chichester on **Wednesday 14 June 2017 at 9.30 am**

MEMBERS: Mr J Ridd (Chairman), Mr H Potter (Vice-Chairman), Mr G Barrett, Mr P Budge, Mr A Collins, Mr J Connor, Mr J W Elliott, Mr L Macey, Mr G McAra, Mr C Page, Mrs P Plant, Mrs C Purnell, Mr N Thomas, Mr D Wakeham and Mrs S Westacott

AGENDA

- 1 **Chairman's Announcements**
Any apologies for absence that have been received will be noted at this point.
- 2 **Minutes** (Pages 1 - 4)
To approve as a correct record the minutes of the General Licensing Committee meeting held on 22 March 2017.
- 3 **Urgent Items**
Chairman to announce any urgent items which due to special circumstances are to be dealt with under agenda item 8b.
- 4 **Declarations of Interests**
Members and officers are reminded to make any declarations of disclosable pecuniary, personal and/or prejudicial interests they may have in respect of matters on the agenda for this meeting.
- 5 **Public Question Time**
Questions submitted by members of the public in writing by noon on the previous working day (for a period of up to 15 minutes).
- 6 **Equality Act 2010 - Designation of 'Wheelchair Accessible Vehicles' and clarification regarding the carrying of assistance dogs** (Pages 5 - 21)
The committee is requested to approve changes to the existing policy as set out in the report.
- 7 **Update regarding knowledge test for new private hire and hackney carriage drivers** (Pages 22 - 36)
The committee is requested to note an update in relation to the introduction of a computerised knowledge test for new Private Hire Driver Licence applications and changes to the existing test for Hackney Carriage drivers.

8 Consideration of any late items as follows:

- (a) Items added to the agenda papers and made available for public inspection;
- (b) Items which the chairman has agreed should be taken as matters of urgency by reason of special circumstances to be reported at the meeting.

9 Exclusion of the press and public

There are no restricted items for consideration by the General Licensing Committee at this meeting.

NOTES

1. The press and public may be excluded from the meeting during any item of business whenever it is likely that there would be disclosure of exempt information as defined in section 100I of and Schedule 12A to the Local Government Act 1972
2. The press and public may view the agenda papers on Chichester District Council's website at [Chichester District Council - Minutes, agendas and reports.](#)
3. This meeting will be audio recorded and the recording will be retained in accordance with the council's information and data policies. If a member of the public makes a representation to the meeting they will be deemed to have consented to being audio recorded. By entering the committee room they are also consenting to being audio recorded. If members of the public have any queries regarding the audio recording of this meeting please liaise with the contact for this meeting detailed on the front of this agenda.
4. Subject to the provisions allowing the exclusion of the press and public, the photographing, filming or recording of this meeting from the public seating area is permitted. To assist with the management of the meeting, anyone wishing to do this is asked to inform the chairman of the meeting of their intentions before the meeting starts. The use of mobile devices for access to social media is permitted, but these should be switched to silent for the duration of the meeting. Those undertaking such activities must do so discreetly and not disrupt the meeting, for example by oral commentary, excessive noise, distracting movement or flash photography. Filming of children, vulnerable adults or members of the audience who object should be avoided.

Public Document Pack Agenda Item 2



Minutes of the meeting of the **General Licensing Committee** held in Committee Room 2, East Pallant House on Wednesday 22 March 2017 at 9.30 am

Members Present: Mr J Ridd (Chairman), Mr H Potter (Vice-Chairman), Mr J Connor, Mr L Macey, Mrs C Purnell, Mr N Thomas, Mr D Wakeham and Mrs S Westacott

Members not present: Mr G Barrett, Mr P Budge, Mr J W Elliott, Mr N Galloway, Mrs D Knightley and Mr G McAra

In attendance by invitation:

Officers present: Mr A Barson (Licensing Technician), Mr L Foord (Licensing Manager), Ms G Di Lauro (Litigation and Licensing Lawyer) and Miss L Higenbottam (Democratic Services)

31 **Chairman's Announcements**

Apologies for absence had been received from Mr Barrett, Mr Budge, Mr Galloway, Mrs Knightley and Mr McAra.

32 **Minutes**

RESOLVED

That the minutes of the meetings held on 19 October 2016 be approved and signed by the Chairman as a correct record.

33 **Urgent Items**

The Chairman advised that there were no urgent items to be considered at this meeting.

34 **Declarations of Interests**

There were no declarations of interest.

35 **Public Question Time**

There were no public questions.

Change in policy re: taxi/private hire driving assessment and wheelchair assessment to reflect current practice

Mr Barson explained that in September 2016 all local authorities were notified that from 1 January 2017 the Driving and Vehicle Standards Agency (DVSA) would be withdrawing provision of taxi/private hire driving assessments and wheelchair assessments. The council's licensing team have since identified two alternative assessors offering a similar service to the DVSA; Blue Lamp Trust and First Castle School of Motoring. Mr Barson explained that due to a lack of suitably trained assessors it has been difficult to find a wheelchair assessment provider.

Mr Barson outlined the council's proposed policy amendments notably section 14 of the Driver and Vehicle General Policy, section one of the Private Hire Driver Policy and section one of Hackney Carriage Policy. Additional conditions require private hire (PH) drivers with seven or more points on their driving licence to retake their driver assessment and PH drivers driving or intending to drive a wheelchair accessible vehicle to complete a wheelchair assessment.

Ms Di Lauro explained that under the Equality Act 2010 sections 165/166 a driver has a duty to carry passengers who are wheelchair users unless the licensing authority has issued the driver with an exemption under section 167. Drivers are not required to provide a modified vehicle, therefore the above sections apply only to designated vehicles. Drivers can be prosecuted for breach of section 165 which is a criminal offence if they do not comply with the duty and do not have a certificate of exemption.

(Mr Wakeham arrived and Mrs Purnell left whilst officers were answering questions).

Mr Ridd asked whether the new assessment providers will be assessed. Mr Foord explained that the DVSA will approve assessors but will not provide accreditation. Mr Barson added that the council must give due consideration to assessment by alternative providers subject to appropriate requirements being met. If a driver is assessed by an unknown provider officers carry out checks through the DVSA online register and follow up where appropriate.

Members discussed the availability of wheelchair accessible vehicles and drivers turning down fares for wheelchair users. Mr Barson confirmed that the districts Hackney Carriage fleet of around 50 vehicles is entirely wheelchair accessible. The 200 PH vehicles are however predominately saloon cars. Mr Foord explained that, to the best knowledge of the council, there are infrequent refusals to carry wheelchair passengers as most drivers abide by their duty (excluding those who hold an appropriate exemption). All complaints are investigated and where appropriate referred to a General Licensing Sub-Committee. In some cases the driver will be required to retake a wheelchair assessment to ensure they are confident in loading and unloading a wheelchair. Mr Foord explained that officers suggest to customers to pre-book where possible to guarantee the type of vehicle provided is appropriate.

Mr Thomas asked whether drivers charge a premium to transport a wheelchair user. Ms Di Lauro confirmed that operating a different charging structure would be discrimination and a breach of the Equalities Act 2010.

Following the discussion members were in agreement with the proposals.

RESOLVED

That the proposed conditions and changes to the existing policy in relation to the taxi/private hire driving assessment and the wheelchair assessment be approved.

37 Update regarding policy review - Implementation of Private Hire Knowledge Test

At the last General Licensing Committee meeting approval was granted to create a working group to review the council's current Taxi and Private Hire Licensing Policy and conditions. As a result officers propose to introduce a PH knowledge test which is likely to cost drivers around £41 (the cost of a Hackney Carriage Knowledge Test). Ms Di Lauro confirmed that the requirement is for new drivers and drivers with lapsed licences only. The proposed knowledge test will assess understanding in the following areas:

- Taxi/PH law
- The council's own policy and requirements
- The Highway Code and road signs
- Basic literacy and numeracy
- Local knowledge of the district

Mr Barson explained that officers of the council's Licensing Team have been in touch with a company called 'Diamond' who supply computerised knowledge tests to other local authorities such as Arun, Southampton and Winchester. A consultation has also been carried out with existing PH drivers. Members received a copy of the responses (which are available as a supplement to the agenda for this meeting). Drivers raised concerns about cost, time required to complete the test and whether either will deter suitable applicants.

Members discussed the practical difficulties faced by drivers who are unable to demonstrate an understanding of the English language. Mr Barson assured members that officers will carefully consider the level of literacy testing required. He acknowledged that some local authorities require an oral assessment and agreed that this will be considered in the future.

Mr Connor asked for clarification regarding the number of questions on the test. Mr Barson explained that the council is able to determine its own number and nature of questions. Council's either specify a pass mark for each area tested or an overall pass mark. Officers have concerns that using an overall pass mark could lead to drivers passing the test with a low level of understanding in some areas.

Mrs Westacott asked how officers will deter cheating if tests are carried out online. Mr Barson assured members that online testing will be invigilated within the council

building and discussions were on-going with the relevant colleagues with the organisation.

Mrs Westacott requested clarification regarding the support on offer for dyslexic applicants. Mr Foord explained that any applicant who discloses dyslexia during the application process will be appropriately supported in line with the Equality Act 2010. Mr Barson agreed to contact other local authorities to discuss designing a varied set of questions to suit all applicants. Ms Di Lauro explained that the council would not be in breach of the Equality Act 2010 if an applicant fails to disclose their dyslexia or other disability.

Mr Potter asked whether officers had considered restricted licences to suit drivers who want to do specific types of work only. Mr Barson explained that this will be considered in the overall policy review but in principle would be possible with the right administrative system.

The Chairman thanked those who had participated in the review.

RESOLVED

That a knowledge test for new applicants applying for a Private Hire Driver Licence be implemented.

38 Consideration of any late items as follows:

The Chairman advised that there were no late items to be considered at this meeting.

The meeting ended at 10.35 am

CHAIRMAN

Date:

Chichester District Council

General Licensing Committee

14 June 2017

Equality Act 2010 – Designation of ‘Wheelchair Accessible Vehicles’ and clarification regarding the carrying of assistance dogs

1. Contact(s)

Alex Barson, Licensing Technician. Tel: 01243 534744
Email: abarson@chichester.gov.uk

Laurence Foord, Licensing Manager. Tel: 01243 534742
Email: lfoord@chichester.gov.uk

Giusj Di Lauro, Legal Services. Tel: 01243 531279
Email: gdilauro@chichester.gov.uk

2. Executive Summary

To seek the approval of Member's to amend the current policy to acknowledge the requirements of the Equality Act 2010.

3. Recommendations

3.1 That Members approve changes to the existing policy regarding duties to carry wheelchair users and establishing a list of designated ‘Wheelchair Accessible Vehicles’.

3.2 That Members approve changes to the existing policy regarding the carrying of assistance dogs.

4. Duty to carry wheelchair users

4.1 Sections 165 and 167 of the Equality Act 2010 (The ‘Act’) came into force on the 6th April 2017. Section 167 of the Act provides Council's with the power to make lists of wheelchair accessible vehicle (i.e. ‘WAVs’ or ‘designated vehicles’) and section 165 of the Act then requires the drivers of those vehicles to carry passengers in wheelchairs, provide assistance to those passengers and prohibits from charging extra.

4.2 The requirements of Section 165 do not apply to drivers who have a valid exemption certificate and are displaying a valid exemption notice in the prescribed manner. An exemption certificate can be issued under section 166 of the Act, which is already in force. This allows Councils to exempt drivers from the duties under Section 165 where it is appropriate to do so, on medical grounds or because the driver's physical condition makes it impossible or unreasonably difficult for them to comply with those duties.

- 4.3 In light of the above changes, it is proposed to add an additional section to the Council's policy. The proposed wording is attached at **Appendix 1**. This outlines the legal requirements as well as the process to be followed in the event that a driver wishes to claim a medical exemption.
- 4.4 A list of designated vehicles has been compiled, which features at **Appendix 2**. This outlines the make and model of the vehicle. It also specifies whether the vehicle is a taxi or private hire vehicle and states the name of the operator. There is a guidance note at the beginning of the report advising that all the vehicles listed can transport a 'reference' wheelchair. However, if the wheelchair is larger, then a member of the public may wish to speak directly to an operator to ascertain whether they have a licensed vehicle that would satisfy their requirements. There are a handful of operators who have larger licensed vehicles with tail lifts, which may be better suited to carrying larger, heavier wheelchairs.
- 4.5 The list will be published on the Council's website and updated on a regular basis to ensure that it accurately reflects those vehicles that are licensed by the Council to carry wheelchair users.
- 4.6 Any proprietor whose vehicle(s) is listed will receive the letter attached at **Appendix 3**, notifying them of the designation and what to do if they wish to seek the medical exemption.
- 4.7 An application form to apply for the exemption has been devised along with the Certificate of Exemption and the Notice of Exemption to be displayed in the vehicle. These documents are attached at **Appendix 4 – Appendix 6**.
5. **Duty to carry assistance dogs**
- 5.1 Sections 168 to 171 of the Equality Act 2010 (The 'Act') deal with the carriage of guide dogs and other assistance dogs in England and Wales and came into force on the 1st October 2010. Prior to 2010 similar provisions had been contained in the Disability and Discrimination Act 1995.
- 5.2 The Act requires drivers to carry guide dogs (and other assistance dogs) at no extra cost. Furthermore, the driver or operator must not treat the guide dog owner less favourably because of their impairment.
- 5.3 The Act does permit for a driver to be exempt from this requirement, only if they have a genuine medical condition. Under such circumstances the Council may exempt the driver from the requirement to carry guide dogs and other assistance dogs.
- 5.4 The Council's policy does not currently refer to this matter and it is felt appropriate at this juncture to update the policy accordingly to provide clarity for both the trade and the Council alike as to what the legal requirements are, as well as, outlining the exemption process. The proposed wording to be added to the policy features at **Appendix 7**.
- 5.5 The form to apply for a medical exemption has been devised and the Certificate of Exemption and Notice of Exemption can be created as required.

5.6 If the proposed wording is approved then an update will be sent to the hackney carriage and private hire community to remind them of their rights and obligations.

6. Conclusion

6.1 By publishing the designated list of 'WAVs' (wheelchair accessible vehicles), notifying the relevant proprietors of their rights and obligations and also updating policy, this will enable the Council to enforce the new duties under the Act placed on drivers to carry wheelchair users, should the need arise.

6.2 It is also felt appropriate to update the Council's policy to clarify the requirements placed on drivers to carry assistance dogs.

6.3 If Members are minded to approve the proposed policy wording set out at **Appendix 1** and **Appendix 5** then the sections will be added to the Council's Driver and Vehicle General Policy.

7. Background Papers

7.1 Department for Transport – Access for wheelchair users to Taxis and Private Hire Vehicles - Statutory Guidance (Feb 2017)
<https://www.gov.uk/government/publications/access-for-wheelchair-users-to-taxis-and-private-hire-vehicles>

8. Appendices

Appendix 1 Proposed policy wording for duties to carry wheelchair users

Appendix 2 List of designated 'Wheelchair Accessible Vehicles'

Appendix 3 Notification letter for drivers

Appendix 4 Application form to apply for medical exemption

Appendix 5 Certificate of Exemption

Appendix 6 Notice of Exemption (Front & Rear)

Appendix 7 Proposed policy wording for carrying assistance dogs

APPENDIX 1

PROPOSED POLICY – EQUALITY ACT 2010 (Carrying wheelchair users)

23. DUTY TO ASSIST PASSENGERS IN WHEELCHAIRS

23.1 Under Section 165 of the Equality Act 2010, licensed drivers of designated Wheelchair Accessible Vehicles (WAV) must:

- Carry the passenger while in the wheelchair;
- Not to make any additional charge for doing so (For instance - A meter should not be left running whilst the driver performs duties required by the Act, or the passenger enters, leaves or secures their wheelchair within the passenger compartment);
- If the passenger chooses to sit in a passenger seat to carry the wheelchair;
- To take such steps as are necessary to ensure that the passenger is carried in safety (There is a defence available to a driver that it would have not been possible to carry the wheelchair safely in the vehicle) and reasonable comfort; and
- To give the passenger such mobility assistance as is reasonably required.

A driver who breaches one or more of the duties outlined above will be liable on summary conviction for each offence to pay a fine not exceeding level 3 on the standard scale. The current maximum level of the fine is £1,000.

23.2 Designated vehicles are those listed by the Council under section 167 of the Equality Act 2010 as being a 'wheelchair accessible vehicle'. A list of such vehicles will be published on the Council website. Drivers will be written to if they own or drive a designated WAV which features on the list.

23.3 Drivers who have a certifiable medical condition or physical condition, which makes it impossible or unreasonably difficult for them to assist wheelchair users, may apply to the council for an exemption from this duty. Any such application will need to be supported by a letter from the driver's doctor or specialist detailing the following:

- What duties cannot be undertaken;
- Why they cannot be undertaken;
- Date the condition was first noted;
- Whether there are any modifications to the vehicle or the way the driver provides the service that would negate the need for an exemption;
- For how long the medical exemption will be required for; and
- To provide any medical reports in support of the request being made.

23.4 The Council reserves the right to refer the driver to the Council's own medical or occupational health practitioner if an assessment by a third party medical practitioner is felt necessary. Any additional costs will be borne by the driver.

23.5 If an exemption is issued then the notice of exemption must be exhibited in the vehicle by fixing it, facing outwards, either on the windscreen or in a prominent position on the dashboard. The exemption will only apply if the notice of exemption is displayed correctly.

23.6 The Council will develop an application process to deal with this particular matter.

- 23.7 If Officers of the Licensing Team have any concerns regarding granting the exemption then the matter will be referred to the Licensing (General Purposes) Sub-Committee to determine. If the application for an exemption is refused then under Section 172 of the Equality Act 2010 there is a right of appeal to the Magistrates Court within 28 days of the date of refusal.
- 23.8 It is the expectation of the Council that the owner or driver of a WAV is fully conversant in terms of loading, securing and unloading a wheelchair user in a safe manner. The owner or driver should also be aware of any limitations that the vehicle may have in relation to different types of wheelchairs. For instance, any weight limits in relation to ramps.

APPENDIX 2

List of vehicles that have been designated as wheelchair accessible under Section 167 of the Equality Act 2010

All taxis and private hire vehicles listed are licensed by Chichester District Council to transport a 'reference' wheelchair with dimensions:

Height – 1350mm
Length – 1200mm
Width – 700mm

Weight (including occupant) – less than or equal to between 250kg - 300kg (This will depend upon the maximum load stated on the ramp)

Taxis are those available for immediate higher from ranks within the Chichester District. The main ranks are located at Chichester Railway Station. Any private hire vehicles can be pre-booked via the operator (Subject to availability). Please place the operator's name into google to find the correct telephone/contact details.

For any person whose wheelchair exceeds the dimensions stated above, please contact the operator to ascertain whether the vehicle satisfies your requirements. Many of the private hire vehicles listed are minibuses with tail lifts that can transport larger and heavier wheelchairs with ease. Some of the larger taxis available from the rank at Chichester Railway Station will also be able to accommodate larger wheelchairs.

Under Section 165 of the Equality Act 2010, licensed drivers of designated Wheelchair Accessible Vehicles (WAV) must:

- Carry the passenger while in the wheelchair;
- Not to make any additional charge for doing so;
- If the passenger chooses to sit in a passenger seat to carry the wheelchair;
- To take such steps as are necessary to ensure that the passenger is carried in safety (There is a defence available to a driver that it would have not been possible to carry the wheelchair safely in the vehicle) and reasonable comfort; and
- To give the passenger such mobility assistance as is reasonably required.

A driver can obtain an exemption from these requirements on medical/physical grounds. If an exemption has been issued to the driver then a Notice of Exemption will be prominently displayed on the front windscreen.

Chichester District Council
List of vehicles that have been designated as wheelchair accessible under Section 167 of the Equality Act 2010

This report used the following criteria:-
 The Licence Types are like PHVH* and HCVH*
 Issued cases only.
 WheelChair Access is ticked.

Private Hire Vehicle Renewal

<u>Reference</u>	<u>Reg Number</u>	<u>Make</u>	<u>Model</u>	<u>Wheelchair Access</u>	<u>Taxi Vehicle Operator</u>	<u>Business Tel.No.</u>
16/01755/PHVHR	BU08 DDJ	RENAULT	MASTER	Yes	Starline Sussex Ltd T/A Starline Group	01243 531666
16/01363/PHVHR	BU53 TNO	RENAULT	MASTER	Yes	Starline Sussex Ltd T/A Starline Group	01243 531666
16/01407/PHVHR	DG10 CCC	MERCEDES	SPRINTER	Yes	Mr & Mrs White T/A Chichester Cab Company	01243 785765
16/01979/PHVHR	DG58 CCC	MERCEDES	SPRINTER	Yes	Mr & Mrs White T/A Chichester Cab Company	01243 785765
16/01402/PHVHR	LX58 DJE	RENAULT	MASTER	Yes	Starline Sussex Ltd T/A Starline Group	01243 531666
16/01362/PHVHR	RX57 BXZ	RENAULT	MASTER	Yes	Starline Sussex Ltd T/A Starline Group	01243 531666
17/00145/PHVHR	SA58 KXJ	PEUGEOT	EXPERT	Yes	Miss Catherine Brigit Fletcher	
16/01050/PHVHR	SH55 WUK	VAUXHALL	MOVANO	Yes	Starline Sussex Ltd T/A Starline Group	01243 531666

Total for Licence Type :- 8

Private Hire Vehicle

<u>Reference</u>	<u>Reg Number</u>	<u>Make</u>	<u>Model</u>	<u>Wheelchair Access</u>	<u>Taxi Vehicle Operator</u>	<u>Business Tel.No.</u>
16/01197/PHVH	K100 WAY	CITROEN	DISPATCH	Yes	Mr Aubrey Philip Way T/A Freeway Taxis	

Total for Licence Type :- 1

Hackney Carriage Vehicle Transfer

<u>Reference</u>	<u>Reg Number</u>	<u>Make</u>	<u>Model</u>	<u>Wheelchair Access</u>	<u>Taxi Vehicle Operator</u>	<u>Business Tel.No.</u>
16/01756/HCVHT	LG52 VEU	LTI	TX2	Yes		
16/00743/HCVHT	SF14 CYJ	PEUGEOT	E7	Yes		
16/01671/HCVHT	SF60 AWO	PEUGEOT	E7	Yes		
16/01409/HCVHT	W884 WGT	LTI	TX1	Yes		

CDC Reports - rptTX_WheelchairAccess

Total for Licence Type :- 4

Hackney Carriage Vehicle Renewal

<u>Reference</u>	<u>Reg Number</u>	<u>Make</u>	<u>Model</u>	<u>Wheelchair Access</u>	<u>Taxi Vehicle Operator</u>	<u>Business Tel No.</u>
16/01896/HCVHR	AA65 MEG	PEUGEOT	E7	Yes		
16/00640/HCVHR	BG11 OMF	LTI	TX4 ELEGANCE	Yes		
17/00361/HCVHR	BN11 WYL	TX4	ELEGANCE	Yes		
17/00313/HCVHR	DG59 CCC	MERCEDES-BENZ	VITO III	Yes	Mr & Mrs White T/A Chichester Cab Company	01243 785765
16/01450/HCVHR	LC05 BPE	LTI	TXII	Yes		
17/00422/HCVHR	LF03 AKK	LTI	TX2	Yes		
16/01226/HCVHR	LF53 ASZ	LTI	TX11	Yes		
17/00436/HCVHR	LG52 HJN	LTI	TX2	Yes		
16/01035/HCVHR	LL53 CAB	LTI	TXII BRONZE	Yes		
16/00939/HCVHR	LR08 AUP	LTI	TX4	Yes		
16/01763/HCVHR	LR57 JKO	LTI	TX4	Yes		
16/01962/HCVHR	LS06 LJJ	LTI	TX II	Yes		
16/01611/HCVHR	MF65 BWX	FORD	TOURNEO VOYAGER	Yes		
16/01973/HCVHR	P601 NLB	METROCAB	II	Yes		
17/00300/HCVHR	R9 NFT	LTI	TX4	Yes		
16/01214/HCVHR	S529 LGC	LTI	TX1	Yes		
17/00479/HCVHR	SF09 HRP	PEUGEOT	E7	Yes		
16/00906/HCVHR	SF09 HYZ	PEUGEOT	E7	Yes		
16/01851/HCVHR	SF10 HKH	PEUGEOT	E7	Yes		
17/00464/HCVHR	SF13 LHC	PEUGEOT	E7	Yes		
17/00068/HCVHR	SF15 HZA	PEUGEOT	E7	Yes		
17/00453/HCVHR	SF58 HHA	PEUGEOT	E7	Yes		
17/00182/HCVHR	SF58 HHX	PEUGEOT	E7	Yes		
16/02006/HCVHR	SF61 KKM	PEUGEOT	E7	Yes		
16/01136/HCVHR	SF61 KMK	PEUGEOT	E7 XS	Yes		
16/02034/HCVHR	SF64 GHZ	PEUGEOT	E7	Yes		
17/00372/HCVHR	SL59 XZH	CITROEN	DISPATCH	Yes		
16/00713/HCVHR	SN03 SSV	LTI	TX2	Yes	Work Under Own Operator's Licence	
17/00335/HCVHR	T284 JIH	METROCAB	SERIES III	Yes		
16/01327/HCVHR	TF07 TCU	PEUGEOT	E7	Yes	Work Under Own Operator's Licence	

16/01183/HCVHR W211 MDA LTI
 16/01334/HCVHR YJ64 BXO RENAULT

TX1
 VOYAGER NX8

Yes
 Yes

Total for Licence Type :- 32

Hackney Carriage Vehicle

<u>Reference</u>	<u>Reg Number</u>	<u>Make</u>	<u>Model</u>	<u>Wheelchair Access</u>	<u>Taxi Vehicle Operator</u>	<u>Business Tel No.</u>
16/01877/HCVH	DG63 KFK	RENAULT	TRAFIC	Yes	Mr Darren Greenslade T/A Area Cars Of Selsey	01243 601701
17/00285/HCVH	LM06 ULA	LTI	TXII	Yes		
16/02102/HCVH	LP66 GNJ	LTI	TX4	Yes		
16/00774/HCVH	LR14 YGX	LTI	TX4	Yes		
16/00792/HCVH	PO11 CFU	RENAULT	TRAFIC	Yes		
16/01249/HCVH	SF08 BVA	FIAT	SCUDO TW220	Yes		
16/01289/HCVH	SF16 EUV	PEUGEOT	E7 XS AUTO	Yes		
16/00951/HCVH	SF59 JVK	PEUGEOT	EXPERT E7	Yes		

Total for Licence Type :- 8

Grand Total of cases :- 53



If calling please ask for: Alex Barson
Tel 01243 534744
E-mail
abarson@chichester.gov.uk

Our ref: AXB/Bespoke

Your ref:

Date

Dear Sir/Madam

Equality Act 2010

Access for Wheelchair users to Taxis and Private Hire Vehicles

Notification that vehicle has been designated under Section 167 of the Equality Act 2010

I am writing to make you aware of a recent change in legislation that relates to drivers of wheelchair-accessible taxis and private hire vehicles.

From the 6th April 2017, Section 165 of the Equality Act 2010 (The 'Act') places a legal duty on drivers of designated wheelchair-accessible taxis and private hire vehicles to:

- Transport the passenger while in the wheelchair;
- Not make any additional charge for doing so (For instance - A meter should not be left running whilst the driver performs duties required by the Act, or the passenger enters, leaves or secures their wheelchair within the passenger compartment);
- If the passenger chooses to sit in a passenger seat, to transport the wheelchair;
- Take such steps as are necessary to ensure that the passenger is transported in safety and reasonable comfort; and
- Give the passenger such mobility assistance as is reasonably required.

A non-compliant driver is liable to prosecution and a fine of up to £1,000, unless a medical exemption applies (Further details overleaf). The driver's continued fitness to hold a licence may also be reviewed.

Designated wheelchair-accessible vehicles (Section 167 of the Equality Act 2010)

All taxis in Chichester are wheelchair-accessible and have been designated as such under Section 167 of the Act. A list of designated wheelchair-accessible private hire vehicles has been created and is available to view via our website ([Website link](#)). This list will be updated regularly.

Please take this letter as confirmation that your wheelchair-accessible vehicle (WAV) has been designated under Section 167 of the Act. If you have more than one vehicle of this type then all WAV licensed with Chichester District Council will have been designated.

../continued

If you disagree with the decision that your vehicle(s) is wheelchair-accessible, you may appeal the decision via the Magistrates' Court, stating that you wish to appeal against the decision and apply for a summons against the Council. A valid appeal must be lodged within 28 days of your vehicle first being designated by us as being wheelchair-accessible i.e. the date of this notification letter.

For further details regarding the appeals process please contact Sussex Magistrates' Court Administration Centre direct on 01273 670888 and select option 4 for Magistrates' Court enquiries.

Medical exemption from the requirement to carry a wheelchair user

The only grounds for exemption are medical, or that a physical condition makes it impossible or unreasonably difficult for a driver to comply with these duties. Applications for exemptions must be made to Chichester District Council. For full details of the application process please contact the Licensing Team on 01243 534744.

Any such application will need to be supported by a letter from the driver's doctor or specialist detailing the following:

- What duties cannot be undertaken;
- Why they cannot be undertaken;
- Date the condition was first noted;
- Whether there are any modifications to the vehicle or the way the driver provides the service that would negate the need for an exemption;
- For how long the medical exemption will be required for; and
- To provide any medical reports in support of the request being made.

All costs associated with medical assessments will need to be borne by the driver.

If Officers of the Licensing Team have any concerns in relation to granting the exemption then the matter will be referred to the Licensing (General Purposes) Sub-Committee to determine.

Safe loading, transporting and unloading of wheelchair users

It is the expectation of the Council that the driver of a wheelchair-accessible taxi or private hire vehicle is fully conversant in terms of loading, securing and unloading a wheelchair user safely.

It is acknowledged that there are lots of different wheelchairs in operation. Therefore the driver should be aware of any limitations that the vehicle may have in relation to different types of wheelchairs. For instance, any weight limits in relation to ramps. The majority of ramps installed in a taxi or private hire vehicle have a minimum safe working load of 250kgs to 300kgs (39st to 47st). The maximum weight will be stated on the ramp. Average weight of an electric wheelchair is 100kgs – 150kgs (16st to 23st). The maximum weight will be stated on the wheelchair.

On the very rare occasion that it is not possible to safely transport the wheelchair user, then please communicate this to the customer in a polite and courteous manner and assist them with making contact with a driver or operator of a suitable vehicle that may be able to transport the customer safely. The Act does allow for a refusal to be made under these circumstances, but only if there are legitimate concerns about being able to transport the wheelchair user safely.

If you have any questions in relation to the above, then please do not hesitate to contact a member of the Licensing Team.

Yours sincerely



Alex Barson

Licensing Technician

Housing & Environment Services

APPENDIX 4

Chichester District Council



Form: T24

Case Reference Number:

Application for Medical Exemption Equality Act 2010

This form has been devised to assist drivers who wish to seek a medical exemption from the requirement to carry a wheelchair in a designated vehicle or an assistance dog.

Duty to carry assistance dogs

Under Section 168 the Equality Act 2010, licensed drivers of taxis and private hire vehicles are under a duty to carry passengers with guide, hearing and other assistance dogs without additional charge. When carrying such passengers, drivers have a duty to:

- Convey the disabled passenger's dog and allow it to remain under the physical control of the owner; and
- Not to make any additional charge for doing so.

Duty to assist passengers in wheelchairs

Under Section 165 of the Equality Act 2010, licensed drivers of designated Wheelchair Accessible Vehicles (WAV) must:

- Carry the passenger while in the wheelchair;
- Not to make any additional charge for doing so;
- If the passenger chooses to sit in a passenger seat to carry the wheelchair;
- To take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort; and
- To give the passenger such mobility assistance as is reasonably required.

Designated vehicles are those listed by the Licensing Authority under section 167 of the Equality Act 2010 as being a 'Wheelchair Accessible Vehicle'. A list of such vehicles is published on the Council website.

Medical Exemption

The Act (s166) enables licensed drivers to apply to be exempt from the duty to assist passengers in wheelchairs if the Council is satisfied that it is appropriate to do so on:

- Medical grounds; or
- The driver's physical condition makes it impossible or unreasonably difficult for them to comply with the duties.

The Act (s169 & s171) enables licensed drivers to apply to be exempt from the duty to carry assistance dogs if the Council is satisfied that it is appropriate to do so on medical grounds.

Penalty for breach of duty

A driver who breaches either of the duties outlined above will be liable on summary conviction for each offence to pay a fine not exceeding level 3 on the standard scale. The current maximum level of the fine is £1,000.

Application Process

Please complete Section A. Section B (Page 3) will need to be completed by your own Doctor or a Doctor from the same medical practice who has access to your medical history notes. Any costs will need to be borne by the driver.

SECTION A (To be completed by the Driver)	
Driver's Name	Driver's Badge No
Driver's Contact Number	Driver's Email Address
<i>I wish to apply to Chichester District Council for an exemption from the requirement to:</i>	
Assist passengers in wheelchairs <input type="checkbox"/>	Carry assistance dogs <input type="checkbox"/>
Is a temporary or permanent exemption being sort?	

I _____ (Print name of driver) authorise my Doctor(s) and Specialist(s) to release reports to Chichester District Council and/or their Medical Advisor about my medical condition.

Signature of Driver _____

Name of Driver _____

Date _____

Further information for the driver

The Council may contact your GP in order to discuss the matter further.

The Council reserves the right to refer the driver to the Council's own medical or occupational health practitioner if a further assessment is felt necessary. Any additional costs will be borne by the driver.

If Officers of the Licensing Team have any concerns regarding granting the exemption then the matter will be referred to the Licensing (General Purposes) Sub-Committee to determine. If refused then there is a right of appeal to the Magistrates Court within 28 days of the date of the refusal notice.

If the exemption is granted then you will be issued with an Exemption Certificate and Notice of Exemption. The Notice of Exemption must be exhibited in the vehicle by fixing it, facing outwards, either on the windscreen or in a prominent position on the dashboard.

If the exemption is time limited then the Exemption Certificate and Notice of Exemption must be returned to the Licensing Team within 7 days after the expiry date.

SECTION B (To be completed by the Driver's own Doctor or a Doctor from the same medical practice who has access to your medical history notes)	
Doctor's Name	Name of Medical Surgery
Doctor's Contact Number	Doctor's Email Address
Please provide details regarding the grounds on which the exemption is being sort (i.e. allergy to dogs, musculoskeletal problems etc).	
What duties cannot be undertaken?	
When did the medical issue first present itself?	
Are there any modifications that the driver can make to the vehicle or the way they provide the service that could negate the need for an exemption?	
Please confirm whether a temporary or permanent exemption is being sort?	
If a temporary exemption is being sort please state when it is anticipated that the driver will be able to return to normal duties?	
Are there any medical reports being submitted in support of this request?	
Please provide details of any specialist that is dealing with this particular medical matter.	

Signature of Doctor _____

Name of Doctor _____

Date _____

Endorsing stamp of Practice

Please send this completed form and any enclosures to **Licensing Team, Chichester District Council, East Pallant House, 1 East Pallant, Chichester, West Sussex, PO19 1TY**

Tel: 01243 534740
 Email: licensing@chichester.gov.uk

Fax: 01243 776766

APPENDIX 5



Equality Act 2010 EXEMPTION CERTIFICATE

EXEMPTION FROM CARRYING WHEELCHAIR USERS

This Exemption Certificate and accompanying Notice of Exemption is issued by CHICHESTER DISTRICT COUNCIL under Section 166 of the Equality Act 2010 (The 'Act').

The Council is satisfied that the person named below has a medical or physical condition, which makes it impossible or unreasonably difficult for the said individual to assist and safely transport a wheelchair user.

The person named below is exempt from the duties to provide mobility assistance to passengers in wheelchairs which are contained in Section 165 of the Act.

Driver's Name:

Driver's Licence (Badge) Number:

This exemption is time limited and has effect from until

This is a life time exemption for the above named person.

Signed

Mrs L Rudziak

Head of Housing & Environment Services
Housing & Environment Services

Issued on **5th May 2017**

NOTES

The Notice of Exemption that accompanies this Certificate **MUST** be exhibited in the vehicle by fixing it, facing outwards, either on the windscreen or in a prominent position on the dashboard. Failure to display the Notice in this manner will render the exemption null and void and require the driver to carry wheelchair users and comply with the duties set out in Section 165 of the Act.

The Council would also recommend that the Certificate itself is stored in a safe place within the vehicle and is available for inspection by an Authorised Officer of the Council or a Police Officer if requested to do so.

If the exemption is time limited, then please return the Certificate and the Notice of Exemption to Chichester District Council within 7 days of the exemption expiring.

APPENDIX 6

FRONT

SECTION 166 EQUALITY ACT 2010

NOTICE OF EXEMPTION

Name of Licensing Authority

Driver's Name

Taxi or Private Hire Vehicle

Licence (Badge) No.

The person named above is exempt from the duties to provide mobility assistance to passengers in wheelchairs which are contained in Section 165 of the Equality Act 2010.

This notice expires _____ 20__

EW

REAR

WARNING

Only the driver named overleaf may display this notice when driving the vehicle. The notice may also remain on display when the vehicle is parked provided it has been driven by, and is to be driven by, the named driver. Otherwise the named driver must remove the notice.

APPENDIX 7

PROPOSED POLICY – EQUALITY ACT 2010 (Assistance dogs)

24. CARRYING OF ASSISTANCE DOGS

24.1 Under Section 168 of the Equality Act 2010, licensed drivers of taxis and private hire vehicles are under a duty to carry passengers with guide, hearing and other assistance dogs without additional charge. When carrying such passengers, drivers have a duty to:

- Convey the disabled passenger's dog and allow it to remain under the physical control of the owner; and
- Not to make any additional charge for doing so.

A driver who breaches one or more of the duties outlined above will be liable on summary conviction for each offence to pay a fine not exceeding level 3 on the standard scale. The current maximum level of the fine is £1,000.

24.2 It is best practice to ask the passenger where they want themselves and their dog to sit in the vehicle.

24.3 Drivers who have a certifiable medical condition which is aggravated by exposure to dogs may apply to the council for exemption from the duty on medical grounds. Any such application will need to be supported by a letter from the driver's doctor or specialist detailing the following:

- What duties cannot be undertaken;
- Why they cannot be undertaken;
- Date the condition was first noted;
- Whether there are any modifications to the vehicle or the way the driver provides the service that would negate the need for an exemption;
- For how long the medical exemption will be required for; and
- To provide any medical reports in support of the request being made.

24.4 The Council reserves the right to refer the driver to the Council's own medical or occupational health practitioner if an assessment by a third party medical practitioner is felt necessary. Any additional costs will be borne by the driver.

24.5 If no exemption has been applied for and subsequently granted, then drivers are still required to carry assistance dogs.

24.6 If an exemption is issued then the notice of exemption must be exhibited in the vehicle by fixing it, facing outwards, either on the windscreen or in a prominent position on the dashboard. The exemption will only apply if the notice of exemption is displayed correctly.

24.7 The Council will develop an application process to deal with this particular matter.

24.8 If Officers of the Licensing Team have any concerns regarding granting the exemption then the matter will be referred to the Licensing (General Purposes) Sub-Committee to determine. If the application for an exemption is refused then under Section 172 of the Equality Act 2010 there is a right of appeal to the Magistrates Court within 28 days of the date of refusal.

Agenda Item 7

Chichester District Council

General Licensing Committee

14 June 2017

Update regarding knowledge test for new private hire and hackney carriage drivers

1. Contact(s)

Alex Barson, Licensing Technician. Tel: 01243 534744
Email: abarson@chichester.gov.uk

Laurence Foord, Licensing Manager. Tel: 01243 534742
Email: lfoord@chichester.gov.uk

Giusj Di Lauro, Legal Services. Tel: 01243 531279
Email: gdilauro@chichester.gov.uk

2. Executive Summary

<p>This report provides an update in relation to the introduction of a computerised knowledge test for new Private Hire Driver Licence applications and changes to the existing test for Hackney Carriage drivers.</p>
--

3. Introduction

- 3.1 At the last meeting of the General Licensing Committee on the 22nd March Members approved the implementation of a knowledge test for new applicants applying for a Private Hire Driver Licence, in order to help raise awareness and standards in relation to those persons entering the private hire profession for the first time.
- 3.2 Officers have opted for the computerised knowledge test system supplied by a third party trading as Diamond. As outlined at the previous meeting the benefits of the computerised system are:
- Complete flexibility in terms of how many sections and the theme of each within the knowledge test.
 - The Council has complete discretion over the pass mark (the system enables a pass mark to be set for each individual section)
 - The questions are selected at random from a pool devised between the Council and product provider.
 - The questions are multiple-choice and the system will randomise the order of answers each time a test is sat.
 - Photographs 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.
 - Answers are recorded on the system when given by the candidate during the test. This can be easily accessed by officers of 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/incorrectly. This assists officers

with assessing the degree of difficulty for a question and whether any adjustments are required.

4. Structure of knowledge test for private hire driver applicants

- 4.1 Officers from the Licensing Team have been working with Diamond to formulate the structure of the knowledge test and also develop a bank of questions for each section.
- 4.2 The computerised test is multiple-choice. The applicant will be given a question and have to select the correct answer from four options. An applicant for a new private hire driver licence will need to pass all five sections, which are:
- Section A – Road signs and road markings
 - Section B – Highway code
 - Section C – Places of interest in and around the Chichester District
 - Section D – Private hire law and policy
 - Section G – Prevention of Child Sexual Exploitation and disability awareness
- 4.3 Each section will have 10 questions, which will be randomly selected from a bank of questions for that topic. The total amount of questions will be 50. Time allowed will be 1 hour and 15 minutes. The fee for the test has been set at **£41**, which mirrors the cost of the current Hackney Carriage Knowledge Test.
- 4.4 The pass mark for each section is **70%**. If an applicant does not pass a section(s) they will need to re-sit the failed section(s) only. The applicant will be permitted two attempts at passing any failed sections. If they are not successful at the end of this period there will be a 6 month period in which they are not able to re-sit. The fee for any re-sit will be **£20**.
- 4.5 The information that an applicant will need to revise is contained in the Highway Code, which we will recommend the applicant purchases. There is also a guidance document for applicants, which explains what the knowledge test involves and provides details of what information they need to read and understand in order to have a greater likelihood of being successful. A copy of the guidance document is at **Appendix 1**.

5. Structure of knowledge test for hackney carriage driver applicants

- 5.1 A written knowledge test is already in place for any person applying for a hackney carriage driver licence. This has been converted across to the computerised test and developed along similar lines to the test for private hire drivers.
- 5.2 The sections that will need to be passed by an applicant for a new hackney carriage driver's licence are:
- Section A – Road signs and road markings
 - Section B – Highway code
 - Section C – Places of interest in and around the Chichester District
 - Section E – Hackney Carriage Law & Policy
 - Section F – Hackney Carriage Geography Test
 - Section G – Prevention of Child Sexual Exploitation and disability awareness

- 5.3 The only differences between the two tests are that an applicant for a hackney carriage driver licence will need to pass a section on hackney carriage law and policy. The applicant will also need to sit an additional section on geographical routes around the district and residential street names in the Chichester area. An extra 15 minutes will be allowed. It is estimated the test will take 1 hour and 30 minutes. All other aspects of the test will be the same as the test for hackney carriage drivers i.e. pass mark of 70% for, fee of £41, re-sit criteria etc.
- 5.4 The testing requirements for other scenarios where a dual licence is being applied for are outlined in **Appendix 1**.

6. Implementation

- 6.1 Any application for a new private hire or hackney carriage driver licence, received on or after **1st June 2017** are now required to sit and pass all relevant sections of the knowledge test.
- 6.2 The computerised test will be available from early July. Any applications received from 1st June will be validated in the normal way, with references contacted, as well as the criminal record and driving licence checks being obtained. As soon as test dates are known, applicants will be contacted by a member of the Licensing Team to book an appropriate slot. Applicants will be contacted and sit their test in order of the date of application submission.
- 6.3 All licensed private hire operators were emailed on 1st June to advise them of the details of the new knowledge test and its introduction.
- 6.4 The bank of questions have been drafted and submitted to Diamond for them to upload to the computerised system. It is estimated by Diamond that this will take two weeks. Towards the end of June a date will be set for a representative of Diamond to visit the Council offices to install the system on the laptops, demonstrate how to use the system and undertake initial testing.
- 6.5 The Council's IT department have set aside four laptops, which will be solely used for the knowledge test. Our IT department will be liaising with Diamond to assist with uploading the system on to the laptops.
- 6.6 Discussions are ongoing with the Facilities Team and Health & Safety in terms of where best to conduct the test within the Council building, to ensure that this does not conflict with the Council's security and safety protocols. It is anticipated that one of the training rooms will be used for hosting the knowledge test. It is also envisaged that test dates will be arranged to take place every two weeks, although this may vary depending upon demand and officer availability to invigilate and supervise the test.

7. Appendices

Appendix 1 – 'Knowledge Test – CDC Guidance Document'



Chichester District Council's Knowledge Test

Any driver applying to Chichester District Council for a new Hackney Carriage or Private Hire Driver Licence must sit and pass a knowledge test, in order to help demonstrate that they possess a basic understanding of the Highway Code, taxi/private hire legislation and Council policy, as well as, knowledge of the local area. By passing this test it will help demonstrate that you have a suitable level of knowledge to provide a professional and safe service to customers.

In accordance with this Council's Policy, a licence will **not** be granted unless an applicant successfully passes the knowledge test.

Pass mark – **70% for each section**

Fee - **£41**

This is a **COMPUTERISED MULTIPLE CHOICE TEST**. Every question will have one correct answer from a choice of four. The person sitting the test will be able to use the computer based system to select the one answer they believe to be correct. The questions are randomly selected for each section of the test.

Please fully read this guide to ensure that you give yourself every opportunity to pass the test. When you are ready to take the test then please contact the Council via licensing@chichester.gov.uk to book a place on the next available test.

SECTIONS TO BE COMPLETED

Applying for a Private Hire (PH) Driver Licence

- Section A** – Road Signs & Road Markings (10 questions)
- Section B** – Highway Code (10 questions)
- Section C** – Places of Interest (10 questions)
- Section D** – Private Hire Law & Policy (10 questions)
- Section G** – Prevention of Child Sexual Exploitation and Disability Awareness (10 questions)

Time allowed – **1 hour 15 minutes**

Applying for a Hackney Carriage (HC) Driver Licence

- Section A** – Road Signs (10 questions)
- Section B** – Highway Code (10 questions)
- Section C** – Places of Interest (10 questions)
- Section E** – Hackney Carriage Law & Policy (10 questions)
- Section F** – Hackney Carriage Geography Test (10 questions)
- Section G** – Prevention of Child Sexual Exploitation and Disability Awareness (10 questions)

Time allowed – **1 hour 30 minutes**

Applying for a Dual Licence (PH & HC)

All sections (Sections A to G) will need to be passed

Time allowed – **1 hour 45 minutes**

Adding a HC Driver Licence to an existing PH Driver Licence

Section E, Section F and Section G only

Time allowed – **45 minutes**

Adding a PH Driver Licence to an existing HC Driver Licence

Section D and Section G only

Time allowed – **30 minutes**

KNOWLEDGE TEST RULES

1. Please ensure that you arrive to take the test no later than 15 minutes before the scheduled start time. **Anyone who is late will not be able to sit the test.**
2. Please bring your Driving Licence photo ID. **If this is not presented on arrival then you will not be able to sit the test.**
3. If you leave the room for any reason before you have finished the test, you will **not** be allowed back in to the room to complete the test and the paper will be marked against the questions answered prior to leaving the room.
4. Mobile phones, electronic devices, bags, paper, pens etc are **not** permitted in the test room. You will be asked to provide these to the officer prior to entering the room. At the end of the test these items will be returned to you. You are permitted to take a bottle of water into the test, but this must be in a clear bottle.
5. Any person caught or suspected of cheating will be automatically disqualified from the test and this may result in your application being invalidated and returned to you.

Knowledge Test – Pass

If you pass the test then you can continue completing the various other elements required to make a valid application.

Knowledge Test – Fail (Re-sits)

If you have not passed the test, then you can re-sit the test up to a maximum of 2 times. You will only be re-tested on the section(s) that you achieved less than the required **70% pass mark**. The questions on subsequent tests will not necessarily be the same as those previously attempted.

Re-test fee - £20

If the test has **NOT** been passed after the second re-test then a 'cooling off period' of **6 months** will then be required before you can submit a fresh application and try again.

SECTION DETAILS

Section A – Road Signs & Road Markings (10 questions)

You will be presented with a series of pictures of road signs and asked to identify what it means. There will also be questions on road markings and their meaning. It is strongly recommended that you purchase a current copy of 'The Highway Code' to be able to learn this information.

Example Question

What does this sign mean?

- Answer A – Maximum Speed
- Answer B – No road markings
- Answer C – No entry for vehicular traffic
- Answer D – Side winds



Example Answer

The answer to the example question is Answer A – Maximum Speed.

Section B – Highway Code (10 questions)

You will be presented with a series of questions based on the Highway Code. It is strongly recommended that you purchase a current copy of 'The Highway Code' to be able to learn this information. There will be questions on:

- Speed Limits on different types of roads
- Stopping distances
- Seatbelt regulations
- What to do in an emergency
- Tyres and vehicle maintenance

Example Question

Can you drive past a lollypop woman/man who is standing in the road displaying a 'Stop' lollypop sign?

- Answer A – Yes
- Answer B – No, unless there are no pedestrians about to cross
- Answer C – None of the above
- Answer D – No, under no circumstances

Example Answer

The answer to the example question is Answer D – No, under no circumstances.

Section C – Places of Interest (10 questions)

You will be presented with a series of questions based on places of interest within the Chichester District. A list of destinations that may feature as questions in Section C are listed at **Annex 1**.

For places of interest located in Chichester itself, you may be asked to identify the road name. For any places of interest outside of Chichester, you will need to know which village or town the venue is located in and may be asked what the main 'A' or 'B' road is to get there. It is recommended that you use Google maps to help learn this information prior to your test. **The use of Google maps is not permitted during test conditions.**

Example Question

Which two villages are West of Chichester, on the A259?

Answer A – Bosham and Fishbourne

Answer B – Fishbourne and Lavant

Answer C – Bosham and Tangmere

Answer D – Fishbourne and Tangmere

Example Answer

The answer to the example question is Answer A – Bosham and Fishbourne.

Section D – PH Law & Policy (10 questions)

This section is for **Private Hire Drivers only**. You will be presented with a series of questions on the law regarding private hire work and also Chichester District Council's policies and other key requirements. **Annex 3** contains the basic information that you will need to be aware of in order to pass this section.

You may also be asked basic numeracy questions based around how much change to give a customer.

Section E – HC Law & Policy (10 questions)

This section is for **Hackney Carriage Drivers only**. You will be presented with a series of questions on the law regarding hackney carriage work and also Chichester District Council's policies and other key requirements. **Annex 3** contains the basic information that you will need to be aware of in order to pass this section.

You may also be asked basic numeracy questions based around how much change to give a customer.

Section F – HC Geography Test (10 questions)

This section is to test an applicant's geographical knowledge of the Chichester District and consists of 10 randomly selected questions. This section only needs to be passed by those applying for a Hackney Carriage Driver Licence.

All questions will relate to journeys that start from a daytime taxi rank. There are currently 3 of these in the Chichester District:

- North side of Chichester Railway Station
- South side of Chichester Railway Station
- West Street, Chichester, outside the Duke & Rye Public House (Formerly 'Wests')

A list of destinations that may feature as questions in Section F are listed at **Annex 1**. You will not be asked questions on all these destinations, but will need to have knowledge of how you get to these destinations from the ranks, in order to pass this section.

You will also get tested on residential road names in Chichester itself. A list of residential road names that may feature as questions in Section F are listed at **Annex 2**.

Example Question 1 – Geography Question

You pick up a customer from the rank, north side of Chichester railway station. You turn left onto Southgate (A286). Staying in the left hand lane you follow the road round to the left onto Avenue De Chartres (A286). You drive past the multi-storey car park and at the roundabout take the 2nd exit onto Via Ravenna (A259). At the next roundabout you take the 2nd exit, continuing along Via Ravenna (A259). At the next roundabout you take the 1st exit onto Cathedral Way (A259). You take the first right onto Fishbourne Road East. You approach a small roundabout and take the 1st exit. Where do you end up?

Answer A – Chichester College

Answer B – Tesco's

Answer C – Sainsbury's

Answer D – None of the above

Example Answer 1 – Geography Question

The answer to the example question is Answer B - Tesco's.

Example Question 2 – Residential road name in Chichester

Which of the following is a road between Oving Road (B2144) and Bognor Road (A259)?

Answer A – Westgate

Answer B – Kingsham Road

Answer C – Florence Road

Answer D – Barnfield Drive

Example Answer 2 - Residential road name in Chichester

The answer to the example question is Answer C – Florence Road.

Section G – Prevention of Child Sexual Exploitation (CSE) and Disability Awareness (10 Questions)

You will be presented with a series of basic questions testing your knowledge in relation to the following two subjects:

- Prevention of Child Sexual Exploitation (CSE)
- Disability Awareness

Prevention of Child Sexual Exploitation (CSE)

Tackling Child Sexual Exploitation (CSE) is a government priority and in West Sussex we are looking to engage with all communities to help prevent children becoming victims of these crimes.

To be able to answer the questions regarding CSE you will need to have read the booklet ***'Together, we can stop Child Sexual Exploitation (CSE) – Handbook for taxi and private hire drivers'***, produced by West Sussex County Council in partnership with West Sussex Safeguarding Children Board and SAFER West Sussex Partnership. If you have not received a copy of the booklet then please contact the Licensing Team to arrange for one to be sent to you. It is also downloadable from the following link - <http://www.chichester.gov.uk/taxihackneyapplication#knowledge>.

The questions in the test will focus on the following:

- What is Child Sexual Exploitation (CSE)
- A brief definition of CSE
- Who is affected by it
- Where it can take place
- What are the signs to look out for
- If you have a concern then who to contact and the information that may be useful
- Advice regarding working with vulnerable passengers

The booklet contains all the above information.

Disability Awareness

There are approx. 10.5 million disabled persons in the UK of which between 15% – 20% are wheelchair users. The Hackney Carriage and Private Hire trade provide an invaluable lifeline to the elderly and disabled persons who are reliant upon their services to enable them to perform essential everyday activities such as shopping, attending medical appointments etc, as well as, visiting family and friends. Therefore, the attitude of drivers and having an understanding of the challenges faced by the elderly and disabled persons is vital.

Please read the following two documents, which have been provided as part of this pack:

- ***'Your guide to assistance dogs'*** produced by Transport for London (TfL)
- ***'Assisting taxi and private hire passengers'*** produced by (TfL)

This will enable you to answer the questions in the test that relate to disability awareness.

Annex 1 – Places of Interest

If the place of interest is in Chichester itself or Goodwood then it is strongly recommended that you familiarise yourself with the road names where the venue is located. If the venue is outside Chichester and elsewhere in the District then it is important you are aware which village or town the venue may be located in and what the main 'A' or 'B' road is to get to them.

Civic Buildings

Assembly Rooms – Chichester City Council
Bus Station
Chichester District Council (CDC)
CDC's vehicle testing station at Westhampnett
Chichester Crematorium
County Hall – West Sussex County Council
County Records Office
Police Station

Hospitals

Nuffield Hospital, Chichester
St Richards Hospital, Chichester
St Wilfrid's Hospice, Donnington

Attractions in Chichester

Chichester Festival Theatre
Chichester New Park Centre (Cinema)
Cineworld (Cinema at Chichester Gate Leisure Park)
Novium Museum, Chichester
Pallant House Gallery, Chichester
Westgate Leisure Centre, Chichester

Attractions outside Chichester

Fishbourne Roman Palace
Cowdray Ruins, Midhurst
Goodwood Motor Circuit
Goodwood Racecourse
Goodwood House
Petworth House
Weald & Downland Open Air Museum, Singleton
West Dean College

Colleges/Universities

Chichester College
University of Chichester

Road Names

A27
A259
A272
A286
A287
B2145
B2178
B2179
B2198

Supermarkets

Marks & Spencer (East Street), Chichester
Sainsbury's, Chichester
Tesco's, Chichester
Waitrose, Chichester

Hotels

Chichester Park Hotel
Crouchers Hotel, near Appledram
Goodwood Hotel
Spread Eagle Hotel, Midhurst
Premier Inn, Chichester
The Seal, Selsey
Travelodge, Chichester

Caravan Parks

Bunn Leisure, Selsey
Lakeside Caravan Park, Chichester
West Sands Holiday Park, Selsey

Pubs

The Nags Head, Chichester
The Old Cross, Chichester
The Shore Inn, East Wittering
The Star, Petworth
Trents, Chichester

Towns and Villages

Bosham
Bracklesham
Donnington
East Wittering
Fernhurst
Fishbourne
Funtington
Hunston
Midhurst
Petworth
Sidlesham
Selsey
Tangmere
West Wittering

Locations outside the Chichester District

Gatwick Airport
Southampton Docks

Industrial Estates

Council's vehicle testing station at Westhampnett
Terminus Road, Chichester
Quarry Lane, Chichester

Annex 2 – Residential Road Names in Chichester

It is recommended that you look up this information using Google maps or a current street atlas for Chichester.

List of residential roads in Chichester

Adelaide Road
Barnfield Drive
Basin Road
Bognor Road (A259)
Bradshaw Road
Broyle Road (A286)
Calendonian Road
Cambrai Avenue
Cherry Orchard Road
Cleveland Road
Florence Road
Kingsham Avenue
Kingsham Road
Lavant Road (A286)
Little Breach
Market Avenue
Market Road
Neville Road
Northgate
Norwich Road
Oaklands Way
Oliver Whitby Road

List of residential roads in Chichester

Orchard Street
Oving Road (B2144)
Parklands Road
Pound Farm Road
Sherbourne Road
Sherlock Avenue
Somerstown
Spitalfield Lane
Sumersdale Road
St Pancras (A285)
St Pauls Road (B2178)
St James' Road
Stane Street
Swanfield Drive
The Avenue
The Broadway
The Drive
Westgate
Westhampnett Road (A285)
Whyke Lane
Whyke Road
Worcester Road

Annex 3 – Key Legal and Council Policy Requirements Drivers

This document has been devised to outline some of the key legal and policy requirements that a professional Hackney Carriage or Private Hire driver should be aware of when licensed by Chichester District Council (CDC). The information below also forms part of the Knowledge Test, therefore it is important that you have read and understood this information before sitting the test.

The information below is broken down into 3 sections:

- Hackney Carriage
- Private Hire
- Requirements that apply to both Hackney Carriage and Private Hire Drivers and Vehicle Licence Holders

To see the Council's policy, conditions and byelaws in their entirety please view the following link - <http://www.chichester.gov.uk/article/25500/Taxi-and-private-hire-licensing---legislation-conditions-and-policy>.

Hackney Carriage

- **All licences MUST 'match'** i.e. A hackney carriage plated by Chichester District Council (CDC) can only be driven by a person issued with a hackney carriage driver licence by CDC. It is permissible to hold a driver's licence for more than one area, but a vehicle can only be licensed with one authority.
- Only persons licensed by this authority to drive a CDC licensed vehicle may do so. In other words, **family members and friends are prohibited from driving a vehicle licensed for hackney carriage/private hire work under any circumstances, unless they themselves possess the appropriate driver's licence from CDC. Simply removing the plate does not result in the vehicle being considered unlicensed.**
- Only licensed hackney carriage vehicles may be hailed in the street and pick up passengers, which is referred to as 'plying for hire'.
- A number of taxi ranks have been designated across Chichester and these can be used by hackney carriages. When on the rank the hackney carriage driver **MUST** remain with the vehicle at all times (Failure to do so is an offence under the Hackney Carriage Byelaws).
- Any hackney carriage vehicle proprietor that uses the **taxi ranks at Chichester train station MUST** ensure that they have obtained a **rank pass** from Indigo, who act as agents for Govia Thameslink Railway. To obtain a rank pass please visit Indigo's website <http://taxis.gtcarparks.com>. If you have any further queries then please contact Indigo's customer service number 0330 123 5247. Please note that there are only a limited number of rank passes available from Indigo.
- **The driver's badge MUST** be worn at all times when working as a hackney carriage driver (Failure to do so is an offence under the Hackney Carriage Byelaws).
- **The vehicle licence plate MUST** always be prominently displayed on the outside of the vehicle, even when being utilised for personal use (Failure to do so is an offence under the Hackney Carriage Byelaws).

- If you hold a Hackney Carriage Vehicle Licence then you **MUST** notify this authority within **7 days** in relation to a change of address (Town Police Clauses Act 1847). It is recommended that if you change your name that you also notify this Authority within **7 days**. If you only hold a Hackney Carriage Driver Licence then you are not legally obliged to notify the Council of a change of address, but it is strongly recommended to assist with receiving reminder letters for renewing the licence.
- It is strongly recommended that a hackney carriage driver notify the Council within **7 days**, in writing, details of any **conviction(s), caution(s), Fixed Penalty Notice(s) for criminal or other endorsable offence(s), ASBO's or penalty notices for disorder, imposed on him or her during the period of the licence, including all motoring offences or pending proceedings.**
- Advertising permitted on a hackney carriage is a single full livery advertisement, or, an advertisement displayed on the lower panel of the front doors. A self-adhesive strip can be displayed on the rear windscreen with the licensed proprietor's company name and number. The overall height of the lettering must not exceed 58mm (2 ¼ inches) and not obscure the driver's view.
- CDC will only licence **Wheelchair Accessible Vehicles** as a hackney carriage.
- A hackney carriage vehicle **MUST** have a roof sign with the word 'TAXI', which is to be illuminated when available for hire.
- A hackney carriage vehicle cannot 'ply for hire' or use ranks outside of the Chichester District. It is however permissible for a hackney carriage vehicle to undertake pre-booked work outside the Chichester District.
- The legal minimum tread depth is 1.6mm for a tyre across the central three-quarters of the tyre and around the whole circumference. Due to hackney carriages being used to transport members of the public and being driven on a regular basis the Council's policy and conditions state that the minimum tread depth for a tyre on a hackney carriage vehicle **MUST NOT** be less than 2mm around the entire circumference of the tyre.

Private Hire

- **All licences MUST 'match'** i.e. A private hire vehicle plated by Chichester District Council (CDC) can only be driven by a person issued with a Private Hire driver licence by CDC and accept jobs from a private hire operator licensed by CDC. It is permissible to hold a driver's licence for more than one area, but a vehicle can only be licensed with one authority.
- For private hire work, 'plying for hire' is unlawful and therefore all bookings **MUST** be made via a CDC licensed private hire operator.
- A private hire vehicle **IS NOT** allowed to use a hackney carriage rank. If a private hire vehicle is parked near to a rank then this could be considered 'plying for hire', unless the driver is waiting for a genuine, bona fide booking.
- **The driver's badge MUST** be worn at all times, unless the vehicle being driven benefits from an exemption certificate issued by this Council. Under these circumstances it is permissible for the driver not to wear the badge, but the driver must have it in their possession. An exemption certificate is granted based on the nature of work the vehicle is being used for, such as executive work or those vehicles used solely for journeys to airports or for account customers.

- **The vehicle licence plate MUST** always be prominently displayed on the outside of the vehicle, even when being utilised for personal use. The only exceptions to this are for stretched limousines, 'special vehicles' (vintage cars or replica vintage cars) and vehicles that have been issued with an exemption certificate by this Council due to the nature of their work, such as executive vehicles and those vehicles used solely for journeys to airports or for account customers.
- If there is a change of address then you **MUST** notify this Council, in writing, within **7 days** of the change in details. Any other licences such as a vehicle licence and operator licence will also need to be updated.
- A private hire driver **MUST** notify the Council within **7 days**, in writing, details of any **conviction(s), caution(s), Fixed Penalty Notice(s) for criminal or other endorsable offence(s), ASBO's or penalty notices for disorder, imposed on him or her during the period of the licence, including all motoring offences or pending proceedings.**
- The only advertising allowed on a private hire vehicle is a self-adhesive strip containing the name of the operator or proprietor and telephone number at the base of the rear window and does not exceed 58mm (2 ¼ inches) in height. The advertising cannot contain the word 'taxi' or 'cab'.
- A private hire vehicle is not allowed to have a roof sign.
- A private hire vehicle must display 'pre-booked' door signs on each side of the vehicle on the rear doors.
- The legal minimum tread depth is 1.6mm for a tyre across the central three-quarters of the tyre and around the whole circumference. Due to private hire vehicles being used to transport members of the public and being driven on a regular basis the Council strongly recommends that the tread depth for a tyre on a private hire vehicle is no less than 2mm around the entire circumference of the tyre.

Requirements that apply to both Hackney Carriage and Private Hire Drivers and Vehicle Licence holders

- If a licensed vehicle is involved in an **accident** which affects the vehicle's appearance, performance or safety then the vehicle proprietor **MUST** report the accident to this Authority as soon as reasonably practicable, and in any case within **72 hours** of the occurrence (Failure to do so is an offence under the Local Government (Miscellaneous Provisions) Act 1976).
- If you decide to **sell a licensed vehicle**, then the vehicle proprietor **MUST** notify this Authority, in writing, of the name and address of the person to whom the vehicle has been transferred to, within **14 days** of the transaction taking place (Failure to do so is an offence under the Local Government (Miscellaneous Provisions) Act 1976). It is also recommended that the Council is provided with the new owner's contact number and email address, in case they are not a licensed driver with the Council.
- If you drive a Wheelchair Accessible Vehicle (WAV) then it is an offence to refuse to carry a wheelchair user or charge extra for loading, securing and unloading the passenger. The only exception to this is if you have been issued with a Medical Exemption Certificate issued by Chichester District Council or it would be unsafe to carry the passenger in the WAV.

- It is an offence to refuse to take an assistance (guide) dog. The only exception to this is if you have been issued with a Medical Exemption Certificate issued by Chichester District Council.
- Equipment that needs to be carried in a licensed vehicle at all times is as follows: Fire Extinguisher, First Aid Kit, Warning Triangle, Hi-Vis Jacket for driver and amount of people vehicle licensed to carry.
- Any lost property **MUST** be brought to the Council Offices within **48 hours**. If a private hire driver then it is permissible to make the operator aware in the first instance as they may be able to contact the customer to arrange delivery or pick up of the lost item.
- All vehicles when first licensed by Chichester District Council for private hire or hackney carriage work must be EURO IV compliant. This information may appear on the V5 registration document issued by the DVLA. If the V5 registration document shows that the vehicle was first licensed on or after the 1st Jan 2008 then the vehicle will definitely be EURO IV compliant. If the vehicle is registered before this date then the applicant will need to get written confirmation from the manufacturer or dealer that it is a EURO IV compliant vehicle.
- The vehicle testing regime is as follows:

Less than 1 year old - no MoT or Fitness Test is required
 1 year or over - MoT and Fitness Test required every 12 months
 5 years or over - MoT and Fitness Test required every 6 months

The MOT can take place at any MOT testing station, but the vehicle fitness test must take place at the Council's vehicle testing station at Westhampnett Depot. The fitness test must be no later than 3 working days after the MOT test certificate has been issued.