



## Licensing, Health and Safety and General Purposes Committee

**Date:** Wednesday, 18 September 2019

**Time:** 6.00 p.m.

**Venue:** Committee Room 1 - Wallasey Town Hall

**Contact Officer:** Anne Beauchamp

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## AGENDA

### 1. MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Committee are asked to declare any disclosable pecuniary and non pecuniary interests, in connection with any application on the agenda and state the nature of the interest.

### 2. MINUTES (Pages 1 - 2)

To approve the accuracy of the minutes of the meeting held on 22 May 2019.

### 3. CHANGE OF MEMBERSHIP OF THE LICENSING PANEL

To replace the third Conservative Member of the Licensing Panel.

### 4. REVIEW OF POLLING DISTRICTS AND PLACES 2019 (Pages 3 - 8)

### 5. REVIEW OF HACKNEY CARRIAGE FARES (Pages 9 - 16)

### 6. HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER LICENCE APPLICATIONS (Pages 17 - 22)

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## LICENSING ACT 2003 COMMITTEE

Wednesday, 22 May 2019

<u>Present:</u>	Councillor	P Stuart (Chair)	
	Councillors	G Davies T Cottier KJ Williams G Wood M Collins	A Hodson L Rowlands D Mitchell A Corkhill WJ Davies
<u>Apologies</u>	Councillors	J Stapleton D Burgess-Joyce	C Cooke

### 1 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members of the Committee were asked to declare any disclosable pecuniary and non pecuniary interests in connection with any application on the agenda and state the nature of the interest.

No such declarations were made.

### 2 MINUTES

**Resolved** – That the accuracy of the minutes of the meeting held on 17 October 2018 be approved.

### 3 MINUTES OF THE LICENSING ACT 2003 SUB-COMMITTEE

**Resolved** – That the accuracy of the minutes of the Licensing Act 2003 Sub-Committee meetings held on 2 November, 22 November and 30 November 2018 and 28 February 2019 be approved.

### 4 APPOINTMENT OF CHAIR AND VICE-CHAIR

The Committee was invited to appoint a Chair and Vice-Chair for the ensuing municipal year.

**It was moved by Councillor G Davies and seconded by Councillor A Hodson that –**

Councillor P Stuart be appointed Chair until amended or otherwise by this Committee and until such time as a new Chair is appointed.

**It was moved by Councillor L Rowlands and seconded by Councillor M Collins that –**

Councillor A Hodson be appointed Vice-Chair until amended or otherwise changed by this Committee and until such time as a new Vice-Chair is appointed.

**Resolved –**

- (1) That Councillor P Stuart be appointed Chair until amended or otherwise changed by this Committee and until such time as a new Chair is appointed.**
- (2) That Councillor A Hodson be appointed Vice-Chair until amended or otherwise changed by this Committee and until such time as a new Vice-Chair is appointed.**

**5 APPOINTMENT OF LICENSING ACT 2003 SUB-COMMITTEE**

The Committee was requested to appoint the Licensing Act 2003 Sub-Committee with the term of membership to be continued until amended or otherwise changed by this Committee and until such time as a new Licensing Act 2003 Sub-Committee is appointed.

The Chair explained that each Licensing Act 2003 Sub-Committee is to be comprised of three Members drawn from the pool of fifteen Committee Members with the Chair being appointed on the day of each meeting.

**Resolved –**

- (1) That the Licensing Act 2003 Sub-Committee be appointed with the term of membership to be continued until amended or otherwise changed by this Committee and until such time as a new Licensing Act 2003 Sub-Committee is appointed.**
- (2) That each Licensing Act 2003 Sub-Committee meeting be comprised of three members to be drawn from the following pool of fifteen Committee Members:**

**Councillors Tony Cottier, George Davies, Tony Norbury, Jean Stapleton, Paul Stuart, Jerry Williams, Gillian Wood, David Burgess-Joyce, Mike Collins, Andrew Hodson, Les Rowlands, Dave Mitchell, Andy Corkhill, Chris Cooke and Bill Davies.**



## Licensing, Health and Safety and General Purposes Committee Wednesday, 18 September 2019

<b>REPORT TITLE:</b>	<b>REVIEW OF POLLING DISTRICTS AND PLACES 2019</b>
<b>REPORT OF:</b>	<b>Director: Governance and Assurance (Monitoring Officer)</b>

### REPORT SUMMARY

The purpose of this report is to advise Members of the arrangements for the statutory polling district and polling place review that is currently being undertaken within the Borough. The review commenced on 19 August 2019 and will conclude on 18 October 2019.

Proposed changes pursuant to the review will be presented for approval at the Licensing, Health and Safety and General Purposes Committee meeting on 20 November 2019.

### RECOMMENDATION/S

That the Committee note the review is being undertaken and that any changes to current arrangements will be presented for approval at the Licensing, Health and Safety and General Purposes Committee meeting on 20 November 2019.

## **SUPPORTING INFORMATION**

### **1.0 REASON/S FOR RECOMMENDATION/S**

**1.1** The Local Authority has a statutory duty to undertake a full review of their Parliamentary polling districts and polling places within the Borough and make such changes as are considered necessary to ensure they remain accessible to all electors.

### **2.0 OTHER OPTIONS CONSIDERED**

**2.1** No other options were considered. It is a statutory requirement to undertake the review.

### **3.0 BACKGROUND INFORMATION**

**3.1** The Local Authority has a duty under the Representation of the People Act 1983 to divide Wirral Borough into Polling Districts and to designate Polling Places for each Polling District.

**3.2** The Electoral Administration Act 2006 placed a duty on all local authorities to undertake a full review of their Parliamentary polling districts and polling places every four years.

**3.3** The Electoral Registration and Administration Act 2013 introduced a change to the timing of the reviews to five-yearly and, in line with this legislation, a full review was last undertaken by the Local Authority in 2013.

**3.4** Whilst there is no statutory requirement to review polling districts and polling places in the years between such full reviews, the Council's Electoral Services evaluates the effectiveness and suitability of polling places and stations following each election and reports any issues/changes required to the Licensing, Health and Safety and General Purposes Committee as necessary, thereby ensuring that the Borough's electors continue to have the best facilities for voting which are practicable in the circumstances.

**3.5** The next compulsory review must be started and completed between 1 October 2018 and 31 January 2020 (inclusive).

**3.6** Local Government election arrangements are not automatically part of this review, however, as they are the same for both Parliamentary and local government elections within the Wirral area, it is considered sensible to conduct both reviews together.

**3.7** The purpose of the review is to principally ensure that:

- all electors in the borough have such reasonable facilities for voting as are practicable in the circumstances; and,
- so far as reasonable and practicable, the polling districts, places and stations are accessible to all electors including those who are

disabled and when considering the designation of a polling place to have regard to the accessibility needs of disabled persons; and,

- where there is no fully accessible building conveniently located for the electors in an area, where it is necessary to use a place where the access is not ideal then every reasonable adjustment must be undertaken to provide access for all Electors.

**3.8** The specific areas of focus for the review are polling districts and the location of polling places and polling stations within the Borough:-

- **Polling District** – is a geographical area created by the subdivision of an electoral area, i.e. a Parliamentary constituency, a European Parliamentary electoral region, or a ward;
- **Polling Place** – is a building (e.g. a school or community centre) or area in which a polling station is located;
- **Polling Station** – is the physical location (i.e. the room) in which polling takes place and is designated by the Returning Officer.

### **3.9** Roles and responsibilities

**The Local Authority** – the statutory responsibility for reviewing polling districts and places rests with the Local Authority for so much of any constituency as is situated in its area.

**The Electoral Registration Officer** – where there are any alterations to the polling districts within its area, the Electoral Registration Officer must amend the register of electors accordingly – either on a notice of alteration or by publishing a revised register. The changes to the register take effect on the date the Electoral Registration Officer publishes a separate notice stating that the alterations have been made, which should be done to coincide with the publication of a notice of alteration/publication of a revised register.

**The (Acting) Returning Officer** – must comment during any review of polling districts and polling places on both existing polling stations and the polling stations that would probably be used if any new proposal for polling places were accepted.

**3.10** The length of the review process is not prescribed, provided all the steps required by the legislation can be undertaken within the time limit. However, the time allowed for consultation should be sufficient to enable interested persons and groups to read and understand the proposals, gather comments and respond with any alternative arrangements that they may wish to submit.

**3.11** The Review commenced on 19 August and will conclude on 18 October 2019. This would enable any proposed changes to the Electoral Register to be made and effective upon its publication on 1 December 2019.

**3.12** There are four stages to the review process and the details are:-

**Stage 1 – Notification of the review**

The Local Authority is required to give notice of the holding of the review. The notice must be displayed at the Local Authority's office, in at least one conspicuous place within the authority, and on the Local Authority's website. Notification of the review and how to participate will be sent to elected representatives, local political party offices and local disability and community groups, and a press release will be issued to provide general notification of the review.

The notice was published on **19 August 2019** and notification has been sent to the interested parties listed above.

**Stage 2 – Consultation**

There are two aspects of the consultation stage which is for representations and comments to be made on the existing and proposed arrangements.

- **The (Acting) Returning Officer's compulsory submission** – which must comment on both existing and proposed polling stations. There is no requirement to change any existing arrangements, and any change or decision to make no change must be supported by a reason. The (Acting) Returning Officer's comments must be published within 30 calendar days of receipt to give consultees the opportunity to comment on them.

The (Acting) Returning Officer provided their comments by the **30 August 2019** and these were published on **2 September 2019**. The comments will be published at the Local Authority's office, in at least one conspicuous place within each constituency, and on the Local Authority's website.

- **Consultees** – the Authority must consult widely on the review and seek out the views of interested groups, including those with expertise in relation to access to premises or facilities for disabled people, or bodies including electors, political parties, MPs and Members of the Council. Consultees will be asked for general comments as well as any on specific buildings or areas. Any person or body which makes a comment will be encouraged to suggest an alternative polling place/station and give a reason for the alternative proposal, so that it may be given appropriate consideration.

The consultation period began on **19 August 2019** and will end on **18 October 2019**.

**Stage 3 – Concluding the review**

Subject to any representations received, the Council's Electoral Services will consider all of the representations and make recommendations on the most appropriate polling districts and polling places. A report will be prepared and submitted to the Licensing, Health and Safety and General

Purposes Committee meeting on **20 November 2019** for the Members to consider for approval the recommendations and to allow for any alterations to the polling districts within its area to be effective from the publication of the revised register on 1 December 2019.

#### **Stage 4 – Publishing the conclusions of the review**

Details of the agreed polling districts and polling places, and the reasons for them, must be made available to the public at the Local Authority offices, in at least one conspicuous place in each constituency, and on the Council's website. All correspondence, representations, minutes, and details of where to view the results must also be published.

**3.13** Following the conclusion of the review, individuals have a right to make representations to the Electoral Commission. However, the Commission will only consider representations received indicating that a review has not been conducted correctly.

#### **4.0 FINANCIAL IMPLICATIONS**

**4.1** There are no financial implications arising from this report. However, should alternative polling places be identified as part of this review, additional resources would need to be identified to fund the consequent building and staffing costs. Any such additional costs will be dealt with in the subsequent report and recommendations to Committee.

#### **5.0 LEGAL IMPLICATIONS**

**5.1** The Council is under a statutory duty to complete a Polling Districts and Places Review by 31 January 2020 as set out in paragraph 3.1 of this report.

#### **6.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS**

**6.1** Undertaking this review will impact on resources in respect of officer time, particularly as the period of this review traverses the annual canvass of the Electoral Register. It is anticipated that these requirements will be met from within existing resources.

#### **7.0 RELEVANT RISKS**

**7.1** The Review provides an opportunity for the Council to ensure accessibility to all Electors, mitigate any potential hazards and health and safety risks; and ensure that the Council addresses any identified risks affecting any potential Electors, particularly if they suffer from a disability.

#### **8.0 ENGAGEMENT/CONSULTATION**

**8.1** Details of the consultation are set out within this report.

#### **9.0 EQUALITY IMPLICATIONS**

**9.1** The Review will use the Electoral Commissions Evaluation Checklist which addresses equality and diversity issues relevant to Polling Districts, Places and Stations.

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**APPENDICES**

None

**BACKGROUND PAPERS**

None

**SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>



## LICENSING HEALTH AND SAFETY AND GENERAL PURPOSES COMMITTEE

18 SEPTEMBER 2019

<b>REPORT TITLE</b>	<b>REVIEW OF HACKNEY CARRIAGE FARES</b>
<b>REPORT OF</b>	<b>DIRECTOR OF GOVERNANCE AND ASSURANCE</b>

### REPORT SUMMARY

The purpose of this report is for the Committee to consider a proposal to increase the Hackney Carriage Tariffs.

### RECOMMENDATION/S

That the Committee consider the proposals to amend the Hackney Carriage Tariffs and determine whether to recommend to Cabinet an increase in Hackney Carriage Tariffs, subject to any objections being received as part of the consultation process.

## SUPPORTING INFORMATION

### 1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 The setting of Hackney Carriage Tariffs is an executive function and therefore any decision of this Committee must be referred to Cabinet.

### 2.0 OTHER OPTIONS CONSIDERED

- 2.1 Not increasing the fares.

### 3.0 BACKGROUND INFORMATION

- 3.1 The Local Government (Miscellaneous Provisions) Act 1976 section 65(1) gives the power to set hackney carriage fares to the local authority as follows:

- 1 A District Council may fix the rates or fares within the district as well for time as distance, and all other charges in connection with the hire of a vehicle or with the arrangements for the hire of a vehicle; to be paid in respect of the hire of a hackney carriage by means of a table (hereafter in this section referred to as a 'table of fares') made or varied in accordance with the provisions of this section.
- 2 When a District Council make or vary a table of fares they shall publish in at least one local newspaper circulating in the district a notice setting out the table of fares or the variation thereof and specifying the period, which shall not be less than fourteen days from the date of first publication of the notice, within which and the manner in which objections to the table of fares or variation can be made.

- 3.2 The last increase of hackney carriage fares was in November 2018.

- 3.3 A proposal has been submitted by the Unite Hackney Carriage trade representatives to increase hackney carriage tariffs with effect from 1 November 2019 by an average of 3.6% as follows:

Reducing the initial hiring distance on all tariffs by 3.6%

Reducing the yardage charged at 20p on tariffs 1, 2 and 3 by 3.6%

Reducing the yardage charged at 40p on tariff 4 by 3.6%

It should be noted that, due to the way fares are calculated, the increase at all distances will not necessarily be equal to 3.6%

- 3.4 The proposal also includes an increase in the fouling charge from £35 to £50.

- 3.5 The current four tariffs are as follows:

Tariff 1          Standard Day Rate (6am to 10pm)

- Tariff 2      Standard Night Rate (10pm to 6am)  
Public and Bank Holiday Day Rate (inc Easter Sunday)
- Tariff 3      Public and Bank Holiday Night Rate (inc Easter Sunday)
- Tariff 4      Christmas and New Year Day and Night Rate

Christmas is defined as the period from 18.00 hours on Christmas Eve until 06.00 hours on the day after Boxing Day.

New Year is defined as the period from 18.00 hours on New Year's Eve until 06.00 hours on the day after New Year's Day.

- 3.6      A table comparing the current and proposed rates is shown at Appendix 1. A table showing the effect of the proposed increases is attached at Appendix 2.
- 3.7      A table comparing the current and proposed tariffs with neighbouring local authorities is attached at Appendix 3.
- 3.8      Should the Committee approve the amendments to the current tariffs, the proposal must be advertised for a period of fourteen days. If no objections to the proposal are received, the revised tariff will be reported to the Cabinet for approval to be effective from 1 November 2019. If objections are received, they will be reported back to this Committee for consideration.

#### **4.0 FINANCIAL IMPLICATIONS**

- 4.1      The cost of the public advertisement will be recovered from licence fees.

#### **5.0 LEGAL IMPLICATIONS**

- 5.1      Under Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 the Council has the power to fix the rates or fares within the district as well for time as distance and all other charges in connection with the hire of a vehicle to be paid in respect of the hire of hackney carriages as detailed in paragraph 3.1.

#### **6.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS**

- 6.1      There are no specific implications arising from this report.

#### **7.0 RISKS**

- 7.1      The decision of whether to increase the Hackney Carriage Fares could have an impact on what members of the public reasonably expect to pay and upon whether drivers are provided with a sufficient incentive to provide a service when it is needed.

#### **8.0 ENGAGEMENT/CONSULTATION**

- 8.1      The proposal must be advertised for a period of fourteen days.

#### **9.0 EQUALITY IMPLICATIONS**

9.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?

Yes and impact review is attached - <https://www.wirral.gov.uk/communities-and-neighbourhoods/equality-impact-assessments/equality-impact-assessments-2017/business>

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### **APPENDICES**

Appendix 1 – Table comparing the current and proposed rates

Appendix 2 - Table showing the effect of the proposal

Appendix 3 – Hackney Carriage Tariff comparison table

### **BACKGROUND PAPERS**

Email proposal from Unite the Union

### **SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>
Licensing Health and Safety and General Purposes Committee	27 January 2016 23 November 2016 25 January 2017 18 July 2018

**Comparison of current and proposed Hackney Carriage tariffs**

	Current rate	Proposed rate
<b>TARIFF 1</b>		
First 300 yards	£3.20	
<b>First 289 yards</b>		£3.20
Each subsequent 230 yards	20p	
<b>Each subsequent 230 yards</b>		20p
<b>TARIFF 2</b>		
First 300 yards	£3.60	
<b>First 289 yards</b>		£3.60
Each subsequent 175 yards	20p	
<b>Each subsequent 169 yards</b>		20p
<b>TARIFF 3</b>		
First 300 yards	£3.80	
<b>First 289 yards</b>		£3.80
Each subsequent 165 yards	20p	
<b>Each subsequent 159 yards</b>		20p
<b>TARIFF 4</b>		
First 300 yards	£6.00	
<b>First 289 yards</b>		£6.00
Each subsequent 230 yards	40p	
<b>Each subsequent 222 yards</b>		40p

Table showing effect of the proposal

	Distance	Fare based on current tariff	Fare based on proposed tariff	Percentage increase
<b>Tariff 1</b>	300 yards	£3.20	£3.40	6.2%
	1 mile	£4.60	£4.60	0.0%
	2 miles	£6.00	£6.20	3.2%
	3 miles	£7.60	£7.80	2.6%
	4 miles	£9.20	£9.40	2.2%
	5 miles	£10.60	£11.00	3.8%
	10 miles	£18.40	£18.80	2.2%
<b>Tariff 2</b>	300 yards	£3.60	£3.80	5.5%
	1 mile	£5.40	£5.40	0.0%
	2 miles	£7.40	£7.60	2.7%
	3 miles	£9.40	£9.60	2.1%
	4 miles	£11.40	£11.60	1.8%
	5 miles	£13.40	£13.80	3.0%
	10 miles	£23.40	£24.20	3.3%
<b>Tariff 3</b>	300 yards	£3.80	£4.00	5.3%
	1 mile	£5.60	£5.80	3.6%
	2 miles	£7.80	£8.00	2.6%
	3 miles	£10.00	£10.20	2.0%
	4 miles	£12.00	£12.40	3.3%
	5 miles	£14.20	£14.60	2.8%
	10 miles	£24.80	£25.60	3.2%
<b>Tariff 4</b>	300 yards	£6.00	£6.40	6.7%
	1 mile	£8.80	£8.80	0.0%
	2 miles	£11.60	£12.00	3.4%
	3 miles	£14.80	£15.20	2.6%
	4 miles	£18.00	£18.40	2.2%
	5 miles	£20.80	£21.60	3.8%
	10 miles	£36.40	£37.20	2.2%

Tariff comparison table

		Wirral current	Wirral proposed	Liverpool	Sefton	St Helens	Halton	Ellesmere Port and Neston
2 miles	Tariff 1	£6.00	£6.20	£6.30	£5.10	£5.30	£5.20	£5.50
	Tariff 2	£7.40	£7.60	£7.00	£6.30	£7.00	£7.20	£6.90
	Tariff 3	£7.80	£8.00					
	Tariff 4	£11.60	£12.00	£8.40	£7.50	£8.10	£8.80	£11.00
5 miles	Tariff 1	£10.60	£11.00	£10.40	£9.90	£10.50	£10.00	£9.80
	Tariff 2	£13.40	£13.80	£13.00	£12.30	£14.20	£13.40	£12.30
	Tariff 3	£14.20	£14.60					
	Tariff 4	£20.60	£21.60	£15.60	£14.70	£15.50	£16.80	£19.60
Fouling charge		£35.00	£50.00	£40 inside, £10 outside	£40.00	£25.00	£50.00	£25.00

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## LICENSING HEALTH AND SAFETY AND GENERAL PURPOSES COMMITTEE

18 SEPTEMBER 2019

<b>REPORT TITLE</b>	<b>HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER LICENCE APPLICATIONS</b>
<b>REPORT OF</b>	<b>DIRECTOR OF GOVERNANCE AND ASSURANCE</b>

### REPORT SUMMARY

The purpose of this report is for the Committee to consider introducing a limit on the number of times an individual may undertake the Knowledge Test during their application for a Private Hire or Hackney Carriage Driver Licence and introduce a requirement that an individual must re-sit the complete test should they fail to pass any one module of the test. That the Committee also consider setting a time limit of six months for an applicant to complete all the necessary requirements to be considered for the grant of a Private Hire or Hackney Carriage Driver Licence.

### RECOMMENDATION/S

That the Committee agree the following policy be applied to the application procedure for the granting of a Private Hire or Hackney Carriage Driver Licence.

1. An individual who fails to pass any module or modules of the Knowledge Test must re take the complete Knowledge Test. This re-sit of the test must take place within three months of taking the test for the first time. An individual who fails to pass the test on the second attempt be prohibited from taking the test for a period of six months.
2. A time limit of six months be imposed for an applicant to complete all the necessary requirements to be considered for the grant of a Hackney Carriage or Private Hire Driver Licence.

## **SUPPORTING INFORMATION**

### **1.0 REASON/S FOR RECOMMENDATION/S**

- 1.1 It is a delegated function of this Committee to approve policies in respect of Hackney Carriage and Private Hire Licence Holders. Currently an application for a Private Hire or Hackney Carriage Driver Licence may remain open indefinitely, during which time certain requirements become out of date while the applicant fails to proceed with other requirements or makes numerous attempts at the Knowledge Test without success.

### **2.0 OTHER OPTIONS CONSIDERED**

- 2.1 Continuing the current practice.

### **3.0 BACKGROUND INFORMATION**

- 3.1 The Committee will be aware that before granting a Private Hire or Hackney Carriage Driver Licence the Council must be satisfied that the applicant is a fit and proper person to hold such a licence and that the person has been authorised to drive a motor car in the UK for at least 12 months.
- 3.2 The methods available to assess the fitness and propriety of an applicant are at the discretion of the Council. There is no judicially approved test of fitness and propriety.
- 3.3 The tests that this Council have determined necessary for individuals to show that they are fit and proper to hold a Private Hire or Hackney Carriage Driver Licence are as follows:
- Vocationally Related Qualification (VRQ)
  - Knowledge Test
  - Satisfactory Driving licence
  - Satisfactory Enhanced Certificate from the Disclosure and Barring Service (DBS)
  - Satisfactory Medical
- 3.4 These tests have been considered necessary taking into account the safety of passengers and the nature of the work undertaken by Private Hire and Hackney Carriage Drivers.
- 3.5 The Committee is requested to review the fact that there is currently no time limit imposed for an individual to complete the requirements listed in paragraph 3.3, including the number of times an individual may undertake the Knowledge Test.

3.6 The Knowledge Test comprises four modules as follows:

1. 10 questions on routes – the applicant must identify the shortest route between 2 locations
2. 20 questions on places of interest – the applicant must identify the correct location
3. 20 questions on the highway code and driving standards
4. 20 questions on legislation and licence conditions

All questions are multiple choice, with a pass mark of 80% in each module.

3.7 Currently if a candidate fails one or more modules they are required to re-sit the modules they fail until they have passed all modules. There is no limit on the number of times a candidate can sit all or part of the Knowledge Test in an attempt to pass all four modules.

3.8 In 2018 193 candidates took 412 Knowledge Tests. This included some individuals taking the test up to eight times with one applicant making ten attempts to pass.

3.9 The Knowledge Test takes place on the first Thursday of every month, however re-sit sessions are arranged outside the normal monthly test dates where possible.

3.10 This currently has an impact on staffing resources. It also results in candidates putting themselves forward for the test without the necessary preparation.

3.11 It is proposed that the Committee approve the following policy be applied to the application procedure for a Hackney Carriage or Private Hire Driver Licence:

An individual who fails to pass any module or modules of the Knowledge Test must re take the complete Knowledge Test. This re-sit of the test must take place within three months of taking the test for the first time. An individual who fails to pass the test on the second attempt be prohibited from taking the test for a period of six months.

A time limit of six months be imposed for an applicant to complete all the necessary requirements to be considered for the grant of a Hackney Carriage or Private Hire Driver Licence.

#### **4.0 FINANCIAL IMPLICATIONS**

4.1 There are no cost implications to the Council.

#### **5.0 LEGAL IMPLICATIONS**

5.1 In accordance with Sections 51 and 59 of the Local Government (Miscellaneous Provisions) Act 1976 the Council must be satisfied that any person to whom it grants a licence to drive a Private Hire or a Hackney Carriage Vehicle is a fit and proper person to hold a driver's licence..



## 6.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS

6.1 Having no limit on the number of times an individual may undertake the Knowledge Test has an impact on staffing resources that would be reduced should the Committee approve the proposals set out in paragraph 3.11. This would allow a more effective use of resources.

## 6.0 RISKS

7.1 Should there be no change to the current policy applied to the application process for a Hackney Carriage or Private Hire Driver Licence applicants will continue to undertake the Knowledge Test without undertaking any preparation. The demand on staffing resources will prevent the effective use of resources. The reduced opportunities to undertake the Knowledge Test could result in less individuals being granted Hackney Carriage or Private Hire Driver Licences.

## 7.0 ENGAGEMENT/CONSULTATION

8.1 The proposals have been shared with representatives of the Hackney Carriage and Private Hire Trade at the Joint Consultative Group who are in support of the proposals.

## 9.0 EQUALITY IMPLICATIONS

9.1 Adjustments are made for applicants who have specific learning disabilities, including allowing extra time to complete the test and the reading of questions to the applicant.

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## APPENDICES

None

## BACKGROUND PAPERS

None

## SUBJECT HISTORY (last 3 years)

Council Meeting	Date

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