

**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Hire or Hackney Carriage Driver Licence may remain open indefinitely, during which time certain requirements become out of date while the applicant fails to proceed with other requirements or makes numerous attempts at the Knowledge Test without success.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