

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

CABINET

16TH FEBRUARY 2017

HACKNEY CARRIAGE (TAXI)/ PRIVATE HIRE DRIVER KNOWLEDGE TEST

REPORT OF SERVICE DIRECTOR, PUBLIC HEALTH & PROTECTION, IN DISCUSSION WITH THE RELEVANT PORTFOLIO HOLDER, COUNCILLOR J ROSSER

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1. PURPOSE OF THE REPORT

- 1.1 To seek Cabinet approval for the introduction of a pre requisite condition for application to licence for licensing of Hackney Carriage/ Private Hire Vehicle Drivers to incorporate a Hackney Carriage (taxi)/ Private Hire Vehicle driver Knowledge Test.

2. RECOMMENDATIONS

It is recommended that the Cabinet:

- 2.1 Approve the implementation of a Hackney Carriage (Taxi) / Private Hire Driver Knowledge Test for Rhondda Cynon Taf County Borough and the required amendment to the existing '*Conditions of Application and Schedule of Conditions relevant to Joint Hackney Carriage & Private Hire Vehicle Drivers Licences*'.
- 2.2 Approve the introduction of a charge to cover the costs to the Council of administering the Driver Knowledge Test
- 2.3 Undertake a consultation with the Licensed Taxi trade concerning the operating guidance that will underpin the implementation of the amended '*Conditions of Application and Schedule of Conditions relevant to Joint Hackney Carriage & Private Hire Vehicle Drivers Licences*'.
- 2.4 Authorise the Service Director, Public Health and Protection, in consultation with the relevant portfolio holder, to consider the outcome of the consultation and make the appropriate arrangements to implement the Driver Knowledge Test pre requisite to licence application requirement.

3. REASONS FOR RECOMMENDATIONS

- 3.1 The existing “*Condition of Application and Schedule of Conditions relevant to Joint Hackney Carriage & Private Hire Vehicle Drivers Licences*” require new drivers to obtain a BTEC qualification prior to applying to be a licensed driver. This requirement was introduced in February 2013. An evaluation of the impact of this aspect of the policy, a review of current market conditions and changes in the profile of the taxi trade has determined that a Driver Knowledge Test will further improve customer experience and help manage demand from out of county applicants.
- 3.2 This change will bring Rhondda Cynon Taf Policy in line with that of neighbouring local authorities such as Cardiff and Caerphilly.

4. BACKGROUND

- 4.1 The provisions of S51 - S59 of the Local Government (Miscellaneous Provisions) Act 1976 require that the Licensing Authority grant a licence only if satisfied that the applicant is a 'fit and proper' person.
- 4.2 In order to determine whether drivers meet the 'fit and proper' person criteria applicants to the Council are currently required to -
- successfully undertake the BTEC qualification in Transporting Passengers
 - Provide a Satisfactory Medical
 - Provide a DVLA check on driving history
 - Provide a Disclosure and Barring Service check.
- 4.3 The aim of the Driver Knowledge Test is to further enhance the protection of public safety and provide public reassurance. This in turn will ensure a more professional customer service is delivered to taxi/private hire vehicle users.
- 4.4 There has been a rise in the number of 'out of area' applications and changes in market forces. In the absence of a local knowledge test there is an expressed perception from applicants that it is easier and cheaper to licence as a driver in Rhondda Cynon Taf than with other local authorities.
- 4.5 The Driver Knowledge Test introduction will address local poor knowledge and the communication skills of potential applicants.

5. EQUALITY AND DIVERSITY IMPLICATIONS

- 5.1 An Equality Impact Screening Assessment has been undertaken.
- 5.2 All prospective new driver applicants will be required to undertake and pass the driver knowledge test prior to an application being accepted. Those drivers who demonstrate poor basic English skills will be signposted to ESOL (English Speaking for other Languages) courses in local colleges and training centres.

6. CONSULTATION

- 6.1 A previous consultation exercise was undertaken with the licensed taxi trade in 2015 concerning the implementation of a Driver Knowledge Test for prospective taxi/private hire driver licensees.
- 6.2 The results of this survey indicated that 91% of drivers agreed that local knowledge of the area was important in their role as a taxi driver. 88% agreed that the Licensing Authority should introduce a knowledge test as part of the process.
- 6.3 A period of consultation was also conducted with Taxi users in 2015, the results of this survey indicated that 100% of respondees would expect drivers to have good local knowledge of the area. 28% of respondees indicated that their experience of driver knowledge was either average or poor.
- 6.4 A further consultation with the licensed trade concerning the operating guidance, which will underpin the policy change, will be undertaken prior to implementation.
- 6.5 Members of the Licensing Committee support the introduction of a Driver Knowledge Test in order to address the poor local knowledge and communication skills of some applicants.

7. FINANCIAL IMPLICATION(S)

- 7.1 Completion of the Knowledge Test will be a pre application requirement in line with existing provisions to obtain a BTEC Qualification. There will be a cost to the applicant of approximately £30.00 per attempt to cover the cost of room hire and meeting the costs of Officer time. This will cover the cost to the Council of administering the scheme and will not derive any additional income.

8. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

- 8.1 Section 57(1) of the Local Government (Miscellaneous Provisions) Act 1976 allows the Authority to require the Applicant to submit to the local

authority such information as they may reasonably consider necessary to enable them to determine whether the licence should be granted or whether conditions should be attached to any such licence.'

- 8.2 The Licensing Authority recently introduced an Intended Use Policy in respect of Hackney Carriage Vehicles in view the rise in the number of complaints about RCT licensed vehicles being used in neighbouring areas and therefore not subject to the same level of regulation by RCT Licensing Officers as those operating within the County. This policy was introduced to ensure that such vehicles were predominantly used in the borough in which they were licensed.
- 8.3 As is the case with any 'new' licensing requirements, the Authority could be subject to legal challenge by way of a Judicial Review.

9. LINKS TO THE COUNCIL' CORPORATE PLAN, OTHER CORPORATE PRIORITIES/SIP/FUTURE GENERATIONS – SUSTAINABLE DEVELOPMENT

- 9.1 The implementation of a Driver Knowledge Test will support the Council's priority of being amongst the safest places in Wales - 'The Way Ahead 2016-2020.'

10 CONCLUSION

- 10.1 RCT currently has lower entry standards for licensing its drivers, i.e no knowledge test requirement, in comparison to neighbouring authorities. The aim of the Driver Knowledge Test is to further enhance the protection of public safety and provide public reassurance. This in turn will ensure a more professional customer service is delivered to taxi/private hire vehicle users.

Other Information:-

Relevant Scrutiny Committee – Public Services, Communities & Prosperity Scrutiny Committee

LOCAL GOVERNMENT ACT 1972

AS AMENDED BY

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

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Background Papers

Joint Hackney Carriage & Private Hire Vehicle Drivers Licence - Conditions of Application and Schedule of Conditions

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