

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2017 - 2018

LICENSING COMMITTEE

25th July 2017

**REPORT OF:
Service Director
Public Health and Protection**

<u>Part I</u>	<u>Item No. 5</u>
Introduction of Driver Knowledge Test – Update on Implementation.	

1. PURPOSE OF THE REPORT

- 1.1 Further to the decision taken by Cabinet on the 16th February 2017, the purpose of the report is to inform Members as to the implementation of the Driver Knowledge Test for applicants for Hackney Carriage / Private Hire Vehicle Driver licences in the Borough,

2. RECOMMENDATIONS

- 2.1 It is recommended that the Members note the progress made in implementing the Cabinet decision and the content of the report for their information.

3. REASONS FOR RECOMMENDATIONS

- 3.1 The existing Policy requires 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 and a review of current market conditions and changes in the profile of the taxi trade determined that a Driver Knowledge Test will improve customer experience and help further manage demand from out of county applicants.
- 3.2 To that end, Members will be aware that on the 16th February 2017, Cabinet approved -
- I. 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*' 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 policy.

- II. the introduction of a charge to cover the costs to the Council of administering the Driver Knowledge Test.
- III. consultation with the Licensed Taxi trade concerning the operating guidance that will underpin the implementation of the amended policy.
- IV. delegated authority to the Service Director Public Health and Protection to consider the outcome of the consultation and make the appropriate arrangements to implement the policy change.

4. BACKGROUND

- 4.1 The provisions of Section 51-59 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.

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.

- 4.2 The Driver Knowledge Test will 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.

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.

The Driver Knowledge Test introduction will also address poor local knowledge, numeracy and communication skills of potential applicants.

5 CONSULTATION.

- 5.1 In 2015, a consultation exercise was undertaken with the licensed trade concerning the implementation of a Driver Knowledge Test for prospective taxi/private hire driver licensees in the Borough. 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.
- 5.2 A further 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 respondents indicated that their experience of driver knowledge was either average or poor.

- 5.3 Following the decision of Cabinet in February 2017, a consultation with the licensed trade concerning the implementation of the Policy Decision was undertaken on behalf of the Service Director. A total of 65 responses were received from taxi drivers and 162 from members of the public. This found that 205 out of the 227 respondents (90%) were in favour of the introduction of the Driver Knowledge Test. 149 out of 224 respondents (67%) felt that the pass mark for the knowledge test should be 80%. 107 out of 227 respondents (47%) were in favour of prospective applicants being permitted 2-3 retests.

170 respondents out of 227 (74%) agreed that a minimal charge should be introduced for administering the test, whilst 221 out of 227 (97%) agreed that applicants should be required to undertake the knowledge test in person to prevent fraud. A copy of the survey responses are reproduced for Members information as **Appendix 1D(i)**. One written response from a licensed operator was also received which is reproduced for Members information as **Appendix 1D(ii)**.

The overall feedback enabled the Service Director to complete the Operating Procedures to implement the Cabinet decision to introduce a Driver Knowledge Test.

6. PROGRESS WITH IMPLEMENTATION

- 6.1 With effect from the 1st September 2017, all prospective applicants for a Joint Hackney Carriage / Private Hire Vehicle Driver Licences will be required to undertake the Authority's Knowledge Test. The Council Policy has been updated to reflect the Policy decision taken by Cabinet in February 2017.
- 6.2 From August 2017 the Corporate Website will be updated to provide advice and guidance to prospective applicants. Driver conditions will also be amended to show the additional requirement.
- 6.3 All 'Driver Knowledge Tests' will be conducted at the Council's offices in the Training Suite, Municipal Buildings, Gelliwastad Road, Pontypridd, CF37 2DP utilising the existing RCT Source Learning Resource. By requiring the test to be undertaken in person, the test will be robust and ensure appropriate identity checks on applicants can be completed. Prospective applicants will need to show a photographic form of identification, either a current passport or valid driving licence and proof of their current address i.e. a utility bill. Applicants will be required to undertake the test themselves without the assistance of persons who may accompany them to the test centre.

To ensure that all applicants are encouraged to prepare for the above process, **a non-returnable fee will be charged and collected in advance for each test taken**. The fee for undertaking each knowledge test will be £30.00. This reflects the cost to the Council of administering the test.

- 6.4 The test will take the format of 10 multiple choice questions which will appear on a computer device which will test the applicants' local knowledge of Rhondda Cynon Taf and 5 further questions which test their numeracy, which will be important to make sure passengers are provided with the correct change. Applicants must pass both elements of the test.

Successful candidates' i.e. those who attain 80% or above will be provided with a Pass Certificate on the day of the test, which they will need to produce when making their application for a Joint Hackney Carriage / Private Hire Vehicle Driver licence.

- 6.5 Unsuccessful candidates will be advised of the outcome on the day of the test and information will be provided about further knowledge test opportunities. Applicants who fail to achieve an eighty percent pass rate in the knowledge test shall be invited to take a further test on two subsequent occasions, after such time, they shall not be considered to have the appropriate knowledge of the area and will not be permitted to attempt a further test for a period of 9 months. This will give prospective applicants the ability to learn more about the area in which they will primarily be working and transporting fare paying passengers.
- 6.6 Those applicants who demonstrate poor basic English skills will be signposted to ESOL (English Speaking for other Languages) courses in local colleges and training centres.

7. FINANCIAL IMPLICATIONS

- 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 £30.00 per attempt to cover the cost of room hire and Officer time.

8 EQUALITY AND DIVERSITY CONSIDERATIONS.

- 8.1 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.

9. LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

- 9.1 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.'

- 9.2 In 2016, the Licensing Authority introduced an Intended Use Policy in respect of Hackney Carriage Vehicles in view of 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.
- 9.3 As is the case with any 'new' licensing requirements, the Authority could be subject to legal challenge by way of a Judicial Review.

10 LINKS TO THE COUNCILS CORPORATE PLAN / OTHER CORPORATE PRIORITIES/ SIP / FUTURE GENERATIONS – SUSTAINABLE DEVELOPMENT.

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

11. CONCLUSION

The Driver Knowledge Test requirement for drivers will be effective from the 1st September 2017. Members are asked to note the progress made in implementing the Cabinet decision and the content of the report for information.

Paul J Mee
Service Director of Public Health & Protection

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Mae Rhondda Cynon Taf yn cyflwyno prawf gwybodaeth yn rhan o'r broses ymgeisio ar gyfer Gyrwyr Cerbydau Hacni a Hurio Preifat. Byddai'n croesawu eich barn am hyn drwy lenwi'r arolwg byr isod.

Rhondda Cynon Taf is implementing a knowledge test as part of the application process for Hackney Carriage and Private Hire Vehicle Drivers and would welcome your thoughts on its implementation by completing the short survey below.

- Q1 Ydych chi'n yrrwr tacsï trwyddedig neu'n aelod o'r cyhoedd? **Are you a current Licensed Taxi Driver or member of the General Public?**
- 65 Gyrwr tacsï trwyddedig / **Licensed Taxi driver**
- 162 Aelod o'r cyhoedd / **General Public**
- Q2 Ydych chi'n cytuno â phenderfyniad yr Awdurdod Lleol i gyflwyno prawf gwybodaeth yn rhan o'r broses ymgeisio ar gyfer gyrwyr trwyddedig? **Do you agree with the decision of the Local Authority to introduce a knowledge test as part of the application process to become a licensed driver?**
- 205 Ydw / **Yes**
- 22 Nac ydw / **No**
- Q3 Yn eich barn chi, pwy ddylai gael ei orfodi i sefyll y prawf yma? **Who do you feel should have to undertake the knowledge test?**
- 79 Ymgeiswyr newydd yn unig / **New Applicants Only**
- 7 Gyrwyr trwyddedig presennol wrth adnewyddu'u trwyddedi / **Current Licensed Drivers on next renewal**
- 143 Y ddau / **Both**

Q4 Yn eich barn chi, beth ddylai'r prawf gwybodaeth ei asesu? **What do you think the knowledge test should assess?**

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- 87 Gwybodaeth am yr ardal leol, e.e. tirnodau lleol, priffyrdd, cyrchfannau i dwristiaid / **Local area knowledge e.g local landmarks, main highways, tourist destinations**
- 53 Ymwybyddiaeth o gamfanteisio'n rhywiol ar blant / **Awareness of Child Sexual Exploitation**
- 58 Llythrennedd sylfaenol / **Basic Literacy**
- 56 Rhifedd sylfaenol / **Basic Numeracy**
- 76 Gwybodaeth ynglŷn ag Amodau Trwyddedu'r Awdurdod Lleol / **Knowledge of Local Authority Conditions of Licence**
- 158 Pob un o'r uchod / **All of the above**

Q5 Yn eich barn chi, beth ddylai marc pasio priodol y prawf gwybodaeth fod? **What do you feel should be the appropriate pass mark of the knowledge test?**

- 149 80% ac uwch / **80% and Above**
- 61 60% > 79%
- 14 50 > 59%

Q6 Pe bai ymgeisydd yn methu'r prawf gwybodaeth, sawl cynnig arall gaiff e? **Should an applicant fail the knowledge test how many re-tests should be permitted?**

- 38 1
- 107 2-3
- 9 4-5
- 72 Dim cyfyngiad / **unlimited**

Q7 Yn dilyn methiant, am faint o amser dylai darpar ymgeiswyr orfod aros cyn iddyn nhw gael ailsefyll y prawf? **Following a failure, how long should prospective applicants wait between knowledge test attempts?**

- 160 0-3 mis / **Months**
- 52 3-6 mis / **Months**
- 7 6-9 mis / **Months**
- 7 12 mis neu'n hwy na hynny? / **12 months plus?**

Q8 Bydd pris gweinyddu isel i'w dalu i'r Cyngor am sefyll y prawf. Ydych chi'n cytuno â hyn? **There will be a minimal charge to cover the cost to the Council of administering the knowledge test. Do you agree with this?**

- 170 Ydw / **Yes**
- 57 Nac ydw / **No**

Q9 I atal twyll, bydd hi'n ofynnol i ymgeiswyr sefyll y prawf yn un o swyddfeydd y Cyngor. Ydych chi'n cytuno â hyn? **To prevent fraud, applicants will be required to attend a Council office to undertake the knowledge test in person. Do you agree with this approach?**

- 221 Ydw / **Yes**
- 6 Nac ydw / **No**

From: Darren Mitchell [REDACTED]
Sent: 13 March 2017 12:50 Licensing Committee - 25th July 2017
To: Licensing Section
Subject: Re: Taxi Driver Knowledge Test Consultation

Hi

Personally I think your ruining the taxi trade with all these courses as we cannot get drivers anymore as the costs are so high, I think you need to look at this and think about scrapping it all together

Thanks Darren
A & L Taxis
[REDACTED]

On 13 Mar 2017, at 12:40, Licensing Section <Licensing.Section@rctcbc.gov.uk> wrote:

Dear all,

We are undertaking a consultation with the public and trade around the implementation of a Rhondda Cynon Taf Taxi Knowledge Test.

We would appreciate if you could take a few minutes to complete the survey (via the link below) to help us move forward with the consultation.

Please complete by Friday 17th March 2017.

Thank you in anticipation

<https://www.snapsurveys.com/wh/s.asp?k=148732484382>

Croesawn ohebu yn Gymraeg a fydd gohebu yn y Gymraeg ddim yn arwain at oedi. Rhowch wybod inni beth yw'ch dewis iaith e.e. Cymraeg neu'n ddwyieithog

Mae'r neges ar gyfer y person / pobl enwedig yn unig. Gall gynnwys gwybodaeth bersonol, sensitif neu gyfrinachol. Os nad chi yw'r person a enwyd (neu os nad oes gyda chi'r awdurdod i'w derbyn ar ran y person a enwyd) chewch chi ddim ei chopio neu'i defnyddio, neu'i datgelu i berson arall. Os ydych chi wedi derbyn y neges ar gam, rhowch wybod i'r sawl sy wedi anfon y neges ar unwaith. Mae'n bosibl y bydd holl negeseuon, gan gynnwys negeseuon GCSX, yn cael eu cofnodi a/neu fonitro unol â'r ddeddfwriaeth berthnasol. I ddarllen yr ymwadiad llawn, ewch i

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