

RIBBLE VALLEY BOROUGH COUNCIL REPORT TO LICENSING COMMITTEE

Agenda Item No. 7

meeting date: TUESDAY, 12 NOVEMBER 2019
title: HACKNEY CARRIAGE AND PRIVATE HIRE DRIVERS KNOWLEDE TEST
submitted by: CHIEF EXECUTIVE
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1 PURPOSE

1.1 To seek Committee's views upon whether applicants for Hackney Carriage and Private Hire Drivers Licences should be permitted to sit an additional knowledge test(s) having failed the maximum of four which is currently permitted and, if so, what arrangements should be put in place to allow additional test papers or other arrangements to be made available, to include setting an appropriate fee.

1.2 Relevance to the Council's ambitions and priorities

- Community Objectives – None.
- Corporate Priorities – An efficient licensing service will promote the Council's priority of being a well-managed and efficient Council.
- Other Considerations – None.

2 BACKGROUND

2.1 The Council has for many years required each applicant for a driver's licence to pass a knowledge test. Applicants for hackney carriage drivers' licences and private hire drivers' licences are given four opportunities to pass the knowledge test. The test may be taken on paper or verbally at the Council offices. A fee of £8.30 is charged for a paper test and £16.40 for a verbal test.

2.2 The knowledge test is used as part of the Council's procedure to determine if an applicant is a fit and proper person to be given a driver's licence. The Council has four test papers and applicants are therefore currently afforded four opportunities to pass the test.

2.3 Recently, two issues have arisen. Firstly, whether an applicant who has failed all four tests should be able to sit one or more further tests. Secondly, whether an applicant should be allowed the opportunity of a practical test to be carried out by a member of staff accompanying them in their vehicle, where they could then demonstrate their knowledge of the borough.

2.4 The standard conditions attached to the issue of Hackney Carriage and Private Hire Drivers Licences in the Ribble Valley state, at condition 7:-

"... all applicants must pass the Council's knowledge test before a driver's licence will be issued. The knowledge test is taken as a written test. Applicants must contact the Council to make an appointment to take the knowledge test. An applicant will be allowed no more than four attempts to pass the knowledge test..."

- 2.5 The Council used to offer the opportunity of a practical test, but this was withdrawn due to potential safety issues and officer time involved. If provision were to be restored for this, consideration would have to be given to the obtaining of evidence of insurance, medical assessment, and DBS or other clearance, so as to provide some safeguards to the staff involved and for the Council as employer. There is no fee set for such a procedure.
- 2.6 The option of undertaking a verbal test was introduced as a compromise on the withdrawal of the practical test; it is considered that this test does meet the Council's equality duties.

3 ISSUES

- 3.1 As stated above, the Council only has four papers and so, in practical terms, if applicants were to be allowed to take additional tests it would result in them resitting the same papers or the Council being required to set additional papers. The current position is an indefinite prohibition on further tests, making no provision for time elapsed since the last unsuccessful attempt, during which time an applicant may have learnt the routes around the Ribble Valley successfully.
- 3.2 Consideration would also need to be given as to whether an applicant should be able to sit the test in person driving their own vehicle. Officer safety must be considered, as if the applicant does not hold a licence, they may not have had a recent DBS check or medical assessment and there may be issues surrounding their insurance.
- 3.3 There are therefore practical resources issues to overcome should Committee wish to allow the individual the opportunity to sit additional tests. This, however, does need to be weighed against fairness to the applicant and the Council's equality duties.

4 RISK ASSESSMENT

- 4.1 The approval of this report may have the following implications
- Resources – Resources will need to be expended either setting an additional test or for officers making arrangements for the applicant to sit the test, or both.
 - Technical, Environmental and Legal – None.
 - Political – None.
 - Reputation – None.
 - Equality & Diversity – None.

5 **RECOMMENDED THAT COMMITTEE**

- 5.1 Determine whether the Hackney Carriage Driver's Licence and Private Hire Drivers Licence conditions be varied:-
- i. by the removal or variation of the limit on the number of knowledge tests that may be taken by an applicant, and, if appropriate, determine a new maximum number of opportunities.

- ii. by providing that an applicant, who has been unsuccessful in the knowledge test on the maximum number of occasions permitted, be able to take further tests after a specific minimum period has elapsed after the last unsuccessful test and, if appropriate, determine what period is appropriate
- iii. by enabling an applicant to be able to take the knowledge test as a practical test, in a vehicle provided by the applicant and accompanied by a member of staff, provided that adequate evidence of insurance, DBS clearance and medical fitness has been provided

5.2 In the event of approval of the variation as set out in 5.1.i, 5.1.ii, or 5.1.iii above, set a fee for such test(s).

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