



Name of meeting: Licensing and Safety Committee

Date: Wednesday 28th June 2023

Title of report: Driver Training Policy – Geographical Knowledge Test

Purpose of report: For members to consider the removal of the requirement for all new hackney carriage / private hire driver applicants to complete and pass a geographical knowledge test.

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards? Decisions having a particularly significant effect on a single ward may also be treated as if they were key decisions.	Not Applicable
Key Decision - Is it in the <u>Council's Forward Plan (key decisions and private reports)?</u>	Key Decision - No Private Report/Private Appendix – No
The Decision - Is it eligible for call in by Scrutiny?	Not Applicable
Date signed off by <u>Strategic Director</u> & name	Colin Parr – 19.06.2023
Is it also signed off by the Service Director for Finance?	Dean Langton – 08.06.2023
Is it also signed off by the Service Director for Legal Governance and Commissioning?	Julie Muscroft – 09.06.2023
Cabinet member:	Councillor Naheed Mather

Electoral wards affected: All

Ward councillors consulted: None

Public or private: Public

Has GDPR been considered? Yes, there is no personal data contained in this report.

1. Summary

1.1 This report is for members to consider the removal of the requirement for all new hackney carriage / private hire driver applicants to complete and pass a local geographical knowledge test.

2. Information required to take a decision

2.1 The Driver training policy, shown at **Appendix 1**, was adopted on 1st August 2019 following the resolution of members to agree the policy at the meeting of the Licensing and Safety Committee on Tuesday 11th June 2019.

2.2 In August 2022 the Department for Transport carried out a consultation on the Taxi and Private Hire Vehicle Licensing Best Practice Guidance for Licensing Authorities in England between 28th March 2022 and 20th June 2022.

2.3 Sections 6.23 and 6.24 of the draft guidance relate to Topographical knowledge and they state:

6.23 Taxi drivers need a good working knowledge of the area for which they are licensed because taxis can be hired immediately, directly with the driver, at ranks or on the street and so drivers are not able to prepare a route. Licensing authorities should therefore require prospective taxi drivers to pass a test of local topographical knowledge as a pre-requisite to the first grant of a licence. The Department's view is that the stringency of the test should reflect the complexity or otherwise of the local geography. In accordance with the principle of ensuring that barriers to entry are not unnecessarily high.

6.24 Private hire vehicles are not legally available for immediate hiring. To hire private hire a private hire vehicle the prospective passenger must go through an operator, so the driver will have an opportunity to check the details of a route before starting a journey and plan or enter it in a navigation system. Licensing authorities may set private hire vehicle drivers a topographical test but are not required to do so.

2.4 In Kirklees we do not differentiate between a hackney carriage driver and a private hire driver, the licensing service issues dual licences for both hackney carriage and private hire. This means anyone who holds a licence (badge) can drive either a private hire vehicle or a hackney carriage vehicle.

2.5 Although the driver training policy was adopted in August 2019 the local knowledge test aspect of the requirements did not come into effect until the licensing service re-opened to new driver licence applicants following the pandemic in August 2021 with the initial knowledge test and theory training and test bookings being taken from September 2021.

- 2.6 At the meeting of the Licensing and Safety Committee on 5th October 2022 members resolved agree to make permanent the temporary change in policy that if an applicant produced evidence that they have undertaken a qualification at Entry 3 level or above, in the form of a certificate, and that the qualification has been achieved in the UK then they would be permitted to pass to the next stage of the theory and knowledge training and test. The reason for this easement in the policy was to ease the bottleneck for new applicants unable to book onto the course and to streamline the process for new applicants.
- 2.7 The licensing service is continuously monitoring and reviewing the way in which it works to achieve the highest levels of customer service. Therefore, to pre-empt the new statutory taxi and private hire best practice guidance and to continue to strive to offer the best service to our applicants it is proposed that we remove the requirement for the geographical knowledge test for all new driver applicants. It will, however, remain an option to require any licensed driver to undertake a geographical knowledge test where multiple complaints of a similar nature indicate there may be issues with a driver's knowledge of the local area.

3. Implications for the Council

3.1 Working with People

One of the licensing services key priorities is to ensure the standards across the private hire and hackney carriage trade in Kirklees are high to protect the travelling public. We want both Kirklees residents and visitors to our beautiful area to be transported safely to their destination by professional and competent drivers, to know they are protected from harm and that they experience a good service and customer experience.

Another key priority for the service is to ensure the standards of service to the applicants for licenses are high and that we are providing a prompt and efficient service to ensure that all applicants are able to carry out their roles effectively and to do so we are required to continuously review our own processes and procedures.

3.2 Working with Partners

In developing our policies and delivering our service the team works with several partners including (and not exclusively) Kirklees Safeguarding Children and Adults boards, West Yorkshire Police, Public Health, Environmental Health, Overview and Scrutiny Committee, the Community Safety Partnership, other West Yorkshire Licensing Authorities (inc. York) as well as being mindful of statutory guidance requirements.

3.3 Place Based Working

There is no specific impact in the context of this report. However, the continuous review of policies and procedures enable the service to examine the way in which it interacts and engages with its licence holder, local residents and communities.

3.4 Climate Change and Air Quality

There is no impact in relation to climate change and air quality in this report.

3.5 Improving outcomes for children

The Council has a duty to protect the travelling public and specifically safeguarding the vulnerable, which includes the safeguarding of children travelling in licensed vehicles and for the purposes of school transport.

3.6 Financial Implications for the people living or working in Kirklees

There are no financial implications for the people living/working in Kirklees in this report.

3.7 Other (eg Integrated Impact Assessment (IIA)/Legal/Financial or Human Resources) Consultees and their opinions

IIA

There is no requirement for an IIA in this report.

Legal

No legal issues.

Human Resources

There are no human resources issues contained in this report.

Financial

There are no financial implications for the Council arising from the recommendations in this report.

4. Consultation

4.1 The removal of the requirement for the new driver applicants to complete a geographical knowledge test prior to gaining their licence does not require full consultation as it is only a minor amendment to the existing overarching hackney carriage and private hire policy.

5. Engagement

4.2 The matter has been discussed at both Hackney Carriage and Private Hire trade association meetings with representatives from GMB union in attendance. No concerns were raised.

6. Next steps and timelines

6.1 Members are asked to make a decision about the removal of the requirement for all new driver applicants to undertake and pass a geographical knowledge test.

6.2 If members resolve to remove the requirement for the geographical knowledge test this will come into effect immediately.

6.3 If members resolve to maintain the policy requirement for the geographical knowledge test, this will continue in its current format.

6.4 If members resolve to remove the requirement for the knowledge test for new applicants for private hire drivers only further work will be required for the service to amend its procedures due to all drivers holding both hackney carriage and private hire badges within Kirklees.

7. Officer recommendations and reasons

7.1 Members are recommended to remove the requirement for the local geographical knowledge test for all new licensed driver applicants.

7.2 The reason for the recommendation is that the proposed Taxi and Private Hire Vehicle Licensing Best Practice Guidance for Licensing Authorities recommends that all local authorities should remove the requirement for all Private Hire Driver applicants, and as Kirklees drivers all hold both hackney carriage and private hire driver licences. Within Kirklees we currently licence around 2,850 licensed drivers and we have a cap of 224 licensed Hackney Carriage Vehicles within the authority. This amounts to approximately 8% of the licensed trade within the authority.

7.3 Therefore, members are asked to resolve to either:

- i. Remove the requirement to undertake and pass the geographical knowledge test for all new driver applicants.
- ii. Remove the requirement to undertake and pass the geographical knowledge test for all new hackney carriage / private hire driver applicants.
- iii. Keep the requirement for all new hackney carriage / private hire drivers to undertake and pass the geographical knowledge test.

8 Cabinet Portfolio Holder's recommendations

Councillor Naheed Mather agrees with the officer recommendation.

9 Contact officer

Fiona Goldsmith
Public Protection Group Leader – Licensing
01484 221000(ext 79921) or Fiona.goldsmith@kirklees.gov.uk

10 Background Papers and History of Decisions

[Agenda for Licensing and Safety Committee on Tuesday 11th June 2019, 10.00 am | Kirklees Council](#)

[Agenda for Licensing and Safety Committee on Wednesday 5th October 2022, 10.00 am | Kirklees Council](#)

11 Service Director responsible

Katherine Armitage
Service Director – Climate Change and Environment
Tel 01484 221000
Email: Katherine.armitage@kirklees.gov.uk

HACKNEY CARRIAGE AND PRIVATE HIRE DRIVER TRAINING POLICY

INTRODUCTION

Calderdale, Leeds, Kirklees, Wakefield, and York all recognise that the role of Hackney Carriage and Private Hire Drivers is a professional one. Hackney Carriage and Private Hire Drivers transport our most vulnerable persons and are often the first point of contact for visitors to each of the authorities.

The reason for this policy is to ensure that the travelling public within West Yorkshire West Yorkshire and York can be confident that the drivers licensed by each authority have been trained to the highest standard and to a standard which is consistent across the West Yorkshire and York region.

We will ensure that all applicants wishing to train as Hackney Carriage or Private Hire Drivers will know that the requirements will be the same for whichever authority they choose to apply to.

1. REQUIREMENTS

The requirements that all new applicants will have to undertake are:

- An Advanced Taxi driving test
- An English test
 - ESOL Entry 3 in Speaking, Listening and Reading (unless you have an English qualification to the same level or above completed in the UK)
- Local knowledge test
 - Local Tourism and routes to places within the authority for which you are applying
 - Local Conditions/policies/bylaws
- Regulatory framework (Legislation) of the private hire and hackney carriage industry and test
 - Local Government (Miscellaneous) Provisions Act 1976
 - Town Police Clauses Act 1847
 - Highways Act 1980
- Professional standards training and test:
 - Health and safety (Personal Safety/Passenger Safety)
 - Professional customer service (Assisting Customers)
 - Fares
 - How to drive safely and efficiently
 - Providing a safe and legal vehicle
 - Transport parcels, luggage and other items
- Safeguarding training and test:
 - Adults safeguarding
 - Children safeguarding
 - Vulnerable passengers
- Equalities/disability training and test

- Wheelchair users
- Users with assistance dogs
- Elderly passengers
- Recognising non visible disability
- Practical wheelchair course (for all drivers of wheelchair accessible vehicles)

2. TESTING

Advanced Taxi Driving Test	Practical Assessment (any providers recognised by each authority will be acceptable)
An English Test	Practical Assessment, ESOL Entry 3 in Speaking, Reading and Listening
Local Knowledge Test	Requirement to achieve a pass rate specified by the authority that you are applying to. (will have questions specific to each area and cannot be transferred)
Regulatory Framework of the Hackney Carriage and Private Hire Industry and Test	Requirement to achieve a 80% pass rate (these questions will cover the same topics for all authorities)
Professional Standards Training and Test	Requirement to achieve a 80% pass rate (these questions will cover the same topics for all authorities)
Safeguarding Training and Test	Requirement to achieve a 80% pass rate (these questions will cover the same topics for all authorities)
Equalities/Disability Training and Test	Requirement to achieve a 80% pass rate (these questions will cover the same topics for all authorities)
Practical Wheelchair Course (for all Drivers of Wheelchair Accessible Vehicles)	Practical Assessment

You will be required to carry out the training specified by the authority in which you are applying and each authority will have different approved providers and/or approved methods for delivering the training and testing procedure. However, it will cover the above requirements to the same standard. Costs at each authority may vary for each aspect of the training.

Where a module has a test associated with it, there will be, within that test, certain questions that an applicant must answer correctly. If an applicant fails to answer these questions correctly, then the test will be classed as a fail, irrespective of whether the pass mark has been achieved or not.

All new applicants will be required to complete and pass the training programme. The aspects of the training shown in section 3 of the policy will have to be carried out by all existing drivers prior to the renewal of their application. New drivers must have completed all training within the twelve month period following the submission date of their application.

If the module requires the training material to be given in advance; this will be provided either by the local authority or the training provider when you confirm your booking onto the course.

The training must be completed before an application will be accepted.

3. REFRESHER TRAINING

Once completed (by new applicants or at renewal), there will be a number of the modules which will require refresher training every three years, to ensure that all current drivers remain up to date with current industry legislation and practice, these will be:-

- Regulatory Framework of the Private Hire Industry
- Professional Standards Training
- Safeguarding Training
- Equalities/Disability Training
- Practical Wheelchair Course (for all Drivers of Wheelchair Accessible Vehicles)
- Any other training, such as any legislation changes

4. OTHER REASONS FOR HAVING TO COMPLETE MODULES

There may be occasion for the licensing authority to require an existing licensed driver to complete and pass one or more of the training modules. This may be the result of a substantiated complaint, for example, about the standard of English, the standard of driving, the standard of customer care, attitude of the driver (this list is not exhaustive) or if the licensing authority believes that a driver's standard of driving or behaviour falls below the standards required.

The West Yorkshire Authorities including York firmly believes that safe, suitable and professional trained Hackney carriage and Private Hire drivers are an asset to the West Yorkshire and York region as a whole. We wish to set standards on a par or above that of our neighbouring regions to ensure the safety of the travelling public within our region.