
Taxi driver knowledge test

Licensing & Public Safety Committee

Decision to be taken by: Licensing & Public Safety
Committee

Date of meeting: 15 March 2022

Lead director/officer: Richard Sword, Strategic Director,
City Development & Neighbourhood Services

Useful information

- Ward(s) affected: All
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- Report version number: 1

1. Summary

- 1.1 The licensing authority is responsible for licensing taxi drivers, including drivers of hackney carriages and private hire vehicles.
- 1.2 The authority must determine whether each applicant is “fit and proper” to hold a licence.
- 1.3 Each authority sets its own standards for establishing fitness and propriety. In Leicester that includes applicants passing a “knowledge test” to demonstrate appropriate knowledge of Leicester and general taxi legislation.
- 1.4 Options for change are presented within the report, together with advantages and disadvantages of each option.

2. Recommended actions/decision

- 2.1 The Licensing and Public Safety Committee is asked to consider the options in section 5 of the report and decide which to adopt.

3. Scrutiny / stakeholder engagement

- 3.1 Consultation took place in October and November 2019 in connection with the taxi strategy. The consultation about driver licensing included a specific question on the knowledge test. The proposal referred to the use of a computer-based test to replace the existing paper-based test, with a separate proposal relating to the requirement for sat nav to be fitted in licensed vehicles.
- 3.2 Licensing Committee considered the consultation document on 9 July 2019 and queried why there would be a need for someone to have both a competent understanding of the major areas of Leicester and also a sat-nav, because over time a driver could become more competent. It was clarified that the proposals were for a new knowledge test to cover more than just street names and to include a general knowledge of the city, landmark sites and key features that a sat-nav would not be able to give.
- 3.3 Consultation responses were mixed, with some in favour of retaining the existing test, others in favour of a new computer-based test, and some raising concerns about over-reliance on sat nav systems.

4. Background and options with supporting evidence

- 4.1 Leicester City Council is the licensing authority responsible for licensing taxi drivers, taxi vehicles, and private hire operators based in the city.
- 4.2 Drivers are licensed under the Local Government (Miscellaneous Provisions) Act 1976. In Leicester, drivers are issued with a combined licence that enables them to drive either a hackney carriage or a private hire vehicle. For the purposes of this report references to a taxi driver refers to both hackney carriage and private hire vehicle drivers.
- 4.3 Under sections 51 and 59 of the 1976 Act the authority is obliged to ensure that a licence is not granted to a driver unless the authority is satisfied that the applicant is a “fit and proper” person to hold a driver’s licence, the applicant is not disqualified by reason of their immigration status, and the applicant has held a DVLA driving licence for at least 12 months.
- 4.4 The question of whether an applicant is “fit and proper” is for individual authorities to determine. A test widely used by local authorities is *“Without any prejudice, and based on the information before you, would you allow a person for whom you care, regardless of their condition, to travel alone in a vehicle driven by this person at any time of day or night?” If, on the balance of probabilities, the answer to the question is ‘no’, the individual should not hold a licence?”*¹
- 4.5 Section 57 of the 1976 Act provides that *“a district council may require any applicant for a licence under the Act of 1847 or under this Part of this Act to submit to them such information as they may reasonably consider necessary to enable them to determine whether the licence should be granted and whether conditions should be attached to any such licence”*.
- 4.6 For many years one aspect of the “fit and proper” test in Leicester has been the “knowledge test”. There are a number of issues with the current delivery of this test and officers consider that there are several options for change:
- a) No change – continue with existing test
 - b) Replace the existing knowledge test with a new online assessment
 - c) Replace the existing knowledge test with a new computer based test to assess applicants’ knowledge of the streets and places of Leicester and their understanding of relevant rules and regulations
 - d) Replace the existing knowledge test with a new less stringent computer based test alongside a requirement that every licensed vehicle be fitted with sat nav
 - e) Combine the existing practical driving assessment with the knowledge test
 - f) Remove knowledge test from the authority’s “fit and proper” assessment

5. Detailed report

- 5.1 A knowledge test has been used for many years to establish whether or not new applicants have a reasonable knowledge of the streets and places in Leicester. The test is carried out manually, with four candidates at a time. The process is labour

¹ Statutory Taxi & Private Hire Vehicle Standards - July 2020 at paragraphs 5.12 – 5.14

intensive and as a result there are often long waiting times to sit a test. Numerous attempts have been made to reduce the waiting time but they have all been short-term gains. Any changes have to be made manually to the laminated maps. The test is outdated and not fit for purpose.

- 5.2 In addition, candidates who fail the test are allowed to re-sit the test a further three times. This means that the waiting list is a combination of applicants sitting the test for the first time and others taking it a second, third or fourth time.
- 5.3 A technological solution has been sought, both via an external provider and an internal development process, but without success.
- 5.4 Some authorities do not require a local knowledge test. Many licensed vehicles have sat nav fitted and therefore the driver's knowledge of streets and routes is less crucial than in the past. However, officers consider that general knowledge of Leicester and its significant locations and attractions is important in the taxi trade.
- 5.5 There are a number of options for change, as follows:

a) No change – continue with existing test

Advantages

- no additional work or expense

Disadvantages

- the existing test is not a good assessment of an applicant's knowledge of the city and therefore potentially not reliable in terms of fitness and propriety
- waiting lists are long because the process is labour-intensive
- a paper-based test is difficult to update and all administration has to be done manually

b) Replace the existing knowledge test with a new online assessment

Advantages

- all candidates can sit the test in their own time with no resource implications for the authority
- no waiting list to maintain
- the test would be generated from a pool of questions and so every test would be different
- an online system should be relatively easy to maintain and operate

Disadvantages

- initial set-up process and cost
- security of system and data held within it
- candidates will be unsupervised and therefore could sit the test with maps and/or friends/family to help them
- no assurance that the test has been taken by the applicant

c) Replace the existing knowledge test with a new computer-based (in person) test to assess applicants' knowledge of the streets and places of Leicester and their understanding of relevant rules and regulations

Advantages

- ability to test multiple candidates at the same time instead of just four
- the test would be generated from a pool of questions and so every test would be different

- the candidates would attend and have their identity checked before sitting the test in exam conditions
- each individual test would start when the candidate is ready and be automatically timed and marked, reducing the involvement of Licensing staff
- a computer-based system should be relatively easy to maintain and operate
- detailed assessment of each applicant's knowledge of Leicester and the obligations of a taxi driver

Disadvantages

- initial set-up process and cost
- suitable accommodation and IT would be required
- unless fully outsourced, Licensing would be required to administer the system, including managing bookings and test invigilation
- likely to be a procured solution due to the involvement of mapping, which previously proved problematic for an in-house solution

- d) Replace the existing knowledge test with a new less stringent computer-based test alongside a requirement that every licensed vehicle be fitted with sat nav

Advantages

- ability to test multiple candidates at the same time instead of just four
- the test would be generated from a pool of questions and so every test would be different
- the candidates would attend and have their identity checked before sitting the test in exam conditions
- each individual test would start when the candidate is ready and be automatically timed and marked, reducing the involvement of Licensing staff
- a computer-based system should be relatively easy to maintain and operate
- removal of mapping requirement would mean this solution could be delivered in-house

Disadvantages

- initial set-up process and cost
- suitable accommodation and IT would be required
- unless fully outsourced, Licensing would be required to administer the system, including managing bookings and test invigilation
- requires conditions on all vehicle licences regarding the installation and maintenance of sat nav plus the associated monitoring and enforcement costs
- may lead to over-reliance on sat nav by drivers who do not really know the area, possibly causing problems when a route is temporarily or permanently unavailable

- e) Combine the existing practical driver assessment with the knowledge test, so that both elements are completed at the same time using an external provider

Advantages

- applicants book a single assessment to cover their practical driving ability and their knowledge of the streets and places in Leicester
- bookings, re-sits and payments are outsourced
- greater capacity for tests to be carried out compared to the resource limitations of the current system
- there is scope through the procurement process to extend the existing practical driving assessment to include driving to certain locations without

prior notice, and to include other questions on various topics such as licensing law, driver conduct, local knowledge

- the practical driving test has been carried out successfully by external providers for several years and a similar service is already provided to other licensing authorities
- re-procurement of the practical driving assessment is imminent and therefore a combined process would not entail a significant amount of extra work
- no additional IT or accommodation requirement

Disadvantages

- the authority would not have full control over the process and therefore reduced assurance over the integrity of the process
- risk of having no system in place should the provider fail
- implications for existing staffing levels

f) Remove knowledge test from the authority's "fit and proper" assessment

Advantages

- no additional work or expense
- removes the problem of running a test system and the associated issues

Disadvantages

- no assessment of applicants' knowledge of Leicester or taxi rules and regulations
- decline in public confidence and in public safety
- could lead to Leicester attracting applications from across the country and therefore generating concerns from other licensing authorities and possibly calls for enforcement in other areas or follow up work based on evidence from other authorities.

5.6 Officers do not consider options a), b) or f) to be feasible in the long term. The current process is causing problems and needs replacing, an online system would not provide a robust solution, and stopping testing altogether would not promote public safety.

5.7 The current knowledge test includes pre-prepared laminated maps that applicants use to identify certain streets and places on a paper answer sheet. Including map-based questions on a computer-based assessment was not possible in a previous attempt to build a knowledge test system in-house. A solution would be to either be creative in terms of the content of a computer-based test and how to assess topographical knowledge, or to remove that aspect from the assessment.

5.8 If the mapped element were to be removed from the assessment, a mitigation could be the introduction of a requirement for all licensed vehicles to have a sat nav system installed and maintained. Many licensed vehicles already have a sat nav and such systems are standard on many new vehicles. However, imposing such a condition would mean additional monitoring, either at the biannual vehicle checks or by the Licensing Enforcement team, to ensure the systems are working and up to date. It could also detract from the need for local knowledge in the event of temporary changes to the road network such as roadworks or emergency closures / diversions.

5.9 A viable alternative to developing or commissioning a computer-based knowledge test is to combine a knowledge assessment with the practical driving assessment that has been in place for several years, but which is due for re-procurement. This has a number of practical and financial advantages for the applicant as well as removing the

burden on resources that an in-house system entails. Such schemes are already in place elsewhere, so the principle is already tried and tested.

5.10 In view of the above analysis officers' preferred option is option e) - combine the existing practical driver assessment with the knowledge test, so that both elements are completed at the same time using an external provider. The disadvantages of this option may be addressed as follows:

- Lack of control over the process – ensure adequate checks and safeguards are included in the procured service
- Risk of no system if the provider fails – procure multiple providers to offer the service, as is the case with the existing practical driving assessment
- Implications for existing staffing levels – the Licensing team is carrying a Licensing Officer vacancy at present and any decision to fill the vacancy would be taken in light of the decision on whether and how to operate the knowledge test

5.11 Regardless of the option chosen, the cost of the test should be met by the applicant. This means that the development of a new system internally or externally would need to be factored into the cost of a new driver application, as would the cost of providing IT systems, accommodation and staffing to run the tests.

5.12 Adding this requirement to another existing requirement should curtail costs for the applicant, because it would minimise the overall administration process, remove the need to develop and maintain a computer-based assessment, and remove the need for accommodation for a knowledge test as it would take place in the applicant's own vehicle as part of the practical assessment.

6. Financial, legal, equalities, climate emergency and other implications

6.1 Financial implications

As referenced in the report, the cost of the testing mechanism is met through the fee that is charged to the applicant. Changes to the underlying cost of carrying out the assessment (either increases or decreases) will be passed on to the applicant through amendments to the fee; to this extent there will be no direct financial implications for Leicester City Council.

Stuart McAvoy, Acting Head of Finance, 37 4004

6.2 Legal implications

The Council issues drivers with a combined licence that enables them to drive either a hackney carriage or a private hire vehicle. The Council is entitled to include a knowledge test as part of the fit and proper person decision process.

John Moss, Legal Services, 373010

6.3 Equalities implications

When making decisions, the Council must comply with the Public Sector Equality Duty (PSED) (Equality Act 2010) by paying due regard, when carrying out their functions, to the need to eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act, to advance equality of opportunity and foster good relations between people who share a 'protected characteristic' and those who do not.

In doing so, the council must consider the possible impact on those who are likely to be affected by the recommendation and their protected characteristics.

Protected Characteristics under the Equality Act 2010 are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The report provides an update on the current approach as well as a number of options which look at revising the current process to assess whether an applicant is fit and proper which in Leicester has been the knowledge test. The preferred option e, would be to combine the existing practical driver assessment with the knowledge test, so that both elements are completed at the same time using an external provider. If this option is agreed, we need to ensure that the combined approach is accessible for applicants and that this is communicated effectively to the relevant stakeholders.

It is recommended that an Equality Impact Assessment be commenced as part of the development of the proposal in order to effectively assess the impact on protected characteristic groups and take steps to reduce or remove any disproportionate impacts where they are identified. This should include findings from consultation and/or engagement with relevant groups/ individuals as appropriate. The Equality Impact Assessment should also be used to maximise positive impacts by making sure that the aims of the PSED are actively considered in the development of proposals and the final decision, as well as the procurement process.

Sukhi Biring, Equalities Officer, 454 4175

6.4 Climate Emergency implications

There are no significant climate emergency implications directly associated with this report.

Aidan Davis, Sustainability Officer, Ext 37 2284

6.5 Other implications (You will need to have considered other implications in preparing this report. Please indicate which ones apply?)

7. Background information and other papers:

8. Summary of appendices:

9. Is this a private report (If so, please indicate the reasons and state why it is not in the public interest to be dealt with publicly)?

No

10. Is this a “key decision”? If so, why?

No