

Leicester  
City Council

## **MEETING OF THE LICENSING AND PUBLIC SAFETY COMMITTEE**

**DATE: TUESDAY, 15 MARCH 2022**

**TIME: 5:30 pm**

**PLACE: Meeting Room G.01, Ground Floor, City Hall, 115 Charles Street, Leicester, LE1 1FZ**

### **Members of the Committee**

Councillor Singh Johal – Vice Chair  
Councillor Byrne – Co-Vice Chair  
Councillor Pickering – Co-Vice Chair

Councillors Cank, Fonseca, Gee, Shelton and Westley

One Labour Group Vacancy  
One Non-Group Vacancy

Members of the Committee are summoned to attend the above meeting to consider the items of business listed overleaf.

for The Monitoring Officer

**Officer contact : Angie Smith**  
*Democratic Support*  
*Leicester City Council*  
City Hall, 115 Charles Street, Leicester, LE1 1FZ  
(Tel. 0116 454 6354)  
Email: [angie.smith@leicester.gov.uk](mailto:angie.smith@leicester.gov.uk)

## Information for members of the public

### Attending meetings and access to information

You have the right to attend formal meetings such as full Council, committee meetings, and Scrutiny Commissions and see copies of agendas and minutes.

However, on occasion, meetings may, for reasons set out in law, need to consider some items in private.

Due to COVID restrictions, public access in person is limited to ensure social distancing. We would encourage you to view the meeting online but if you wish to attend in person, you are required to contact the Democratic Support Officer in advance of the meeting regarding arrangements for public attendance. A guide to attending public meetings can be found here: (Insert link to new content on website when available)

Dates of meetings and copies of public agendas and minutes are available on the Council's website at [www.cabinet.leicester.gov.uk](http://www.cabinet.leicester.gov.uk), or by contacting us using the details below.

To hold this meeting in as Covid-safe a way as possible, all attendees are asked to follow current Government guidance and:

- maintain distancing while entering and leaving the room/building;
- remain seated and maintain distancing between seats during the meeting;
- wear face coverings throughout the meeting unless speaking or exempt;
- make use of the hand sanitiser available;
- when moving about the building to follow signs about traffic flows, lift capacities etc;
- comply with Test and Trace requirements by scanning the QR code at the entrance to the building and/or giving their name and contact details at reception prior to the meeting;
- if you are displaying Coronavirus symptoms: a high temperature; a new, continuous cough; or a loss or change to your sense of smell or taste, you should NOT attend the meeting, please stay at home, and get a PCR test.

### Making meetings accessible to all

Wheelchair access – Public meeting rooms at the City Hall are accessible to wheelchair users. Wheelchair access to City Hall is from the middle entrance door on Charles Street - press the plate on the right hand side of the door to open the door automatically.

Braille/audio tape/translation - If you require this please contact the Democratic Support Officer (production times will depend upon equipment/facility availability).

Induction loops - There are induction loop facilities in City Hall meeting rooms. Please speak to the Democratic Support Officer using the details below.

Filming and Recording the Meeting - The Council is committed to transparency and supports efforts to record and share reports of proceedings of public meetings through a variety of means, including social media. In accordance with government regulations and the Council's policy, persons and press attending any meeting of the Council open to the public (except Licensing Sub Committees and where the public have been formally excluded) are allowed to record and/or report all or part of that meeting. Details of the Council's policy are available at [www.leicester.gov.uk](http://www.leicester.gov.uk) or from Democratic Support.

If you intend to film or make an audio recording of a meeting you are asked to notify the relevant Democratic Support Officer in advance of the meeting to ensure that participants can be notified in advance and consideration given to practicalities such as allocating appropriate space in the public gallery etc..

The aim of the Regulations and of the Council's policy is to encourage public interest and engagement so in recording or reporting on proceedings members of the public are asked:

- ✓ to respect the right of others to view and hear debates without interruption;
- ✓ to ensure that the sound on any device is fully muted and intrusive lighting avoided;
- ✓ where filming, to only focus on those people actively participating in the meeting;
- ✓ where filming, to (via the Chair of the meeting) ensure that those present are aware that they may be filmed and respect any requests to not be filmed.

### **Further information**

If you have any queries about any of the above or the business to be discussed, please contact Angie Smith, **Democratic Support on (0116) 454 6354 or email [angie.smith@leicester.gov.uk](mailto:angie.smith@leicester.gov.uk)**

For Press Enquiries - please phone the **Communications Unit on 454 4151**

# **PUBLIC SESSION**

## **AGENDA**

### **FIRE / EMERGENCY EVACUATION**

If the emergency alarm sounds, you must evacuate the building immediately by the nearest available fire exit and proceed to the area outside the Ramada Encore Hotel on Charles Street as directed by Democratic Services staff. Further instructions will then be given.

### **1. APOLOGIES FOR ABSENCE**

### **2. DECLARATIONS OF INTEREST**

Members are asked to declare any interests they may have in the business on the agenda.

### **3. MINUTES OF PREVIOUS MEETING**

**Appendix A  
(Pages 1 - 6)**

The minutes of the meeting held on 15 November 2021 are attached and the Committee will be asked to confirm them as a correct record.

### **4. PETITIONS**

The Monitoring Officer to report on the receipt of any petitions submitted in accordance with the Council's procedures.

### **5. QUESTIONS, REPRESENTATIONS, STATEMENTS OF CASE**

The Monitoring Officer to report on the receipt of any questions, representations and statements of case submitted in accordance with the Council's procedures.

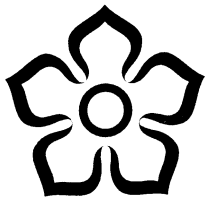
### **6. TAXI DRIVER KNOWLEDGE TEST**

**Appendix B  
(Pages 7 - 16)**

The Strategic Director, City Development and Neighbourhoods submits a report for approval to the Committee on the Knowledge Test used for drivers to demonstrate appropriate knowledge of Leicester and general taxi legislation.

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

### **7. ANY OTHER URGENT BUSINESS**



Leicester  
City Council

Minutes of the Meeting of the  
LICENSING AND PUBLIC SAFETY COMMITTEE

Held: MONDAY, 15 NOVEMBER 2021 at 5:30 pm

P R E S E N T:

Councillor Singh Johal (Chair)

Councillor Fonseca

Councillor Gee

Councillor Westley

\* \* \* \* \*

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Byrne, Govind, Pickering and Shelton.

**2. DECLARATIONS OF INTEREST**

There were no declarations of interest made.

**3. MEMBERSHIP OF THE COMMITTEE**

NOTED:

The membership of the Licensing and Public Safety Committee for the 2021-22 municipal year as follows:

Councillor Singh Johal	Chair
Councillor Byrne	Co-Vice Chair
Councillor Pickering	Co-Vice Chair
Councillor Cank	
Councillor Fonseca	
Councillor Gee	
Councillor Govind	
Councillor Shelton	
Councillor Westley	
1 Non-Group Place Vacancy	

**4. MINUTES OF PREVIOUS MEETING**

RESOLVED:

that the minutes of the meeting held on 9<sup>th</sup> February 2021 be approved as a correct record.

## **5. PETITIONS**

The Monitoring Officer reported that no petitions had been submitted in accordance with the Council's procedures.

## **6. QUESTIONS, REPRESENTATIONS, STATEMENTS OF CASE**

The Monitoring Officer reported that no questions, representations and statements of case had been submitted in accordance with the Council's procedures.

## **7. REVIEW OF STATEMENT OF LICENSING POLICY**

The Director of Neighbourhood and Environmental Services submitted a report to obtain the Committee's views and observations on the proposed Licensing Policy for February 2022 to February 2027. The Committee was asked to provide comments on the proposed policy and the proposals for the special policy on cumulative impact, to assist when setting the policy for 2022 to 2027 at Full Council.

The Licensing Team Manager (Policy and Applications) presented the report. It was noted that the policy had been re-written to make for easier understanding in regards to the wording, and included the new Sections 7 and 8 that were derived from the collaboration with Public Health, Leicestershire Police and the Noise Team. The Policy had been out to public consultation which included licence holders / members of the public and other interested parties, and comments had been received regarding the proposed areas of special interest and the retention (or not) of the CIZs.

The following additional points were noted:

- Members discussed and requested the Licensing Team present the recent changes in a more simplified way, such as the use of bold font, section headings and page number references. The Chief Licensing Officer suggested Members review the appendix attached at Page 63 to the document, particularly section 7 and 8, but would take the comment into consideration in the time period leading up to Full Council. It was noted the Policy had been completely re-written so the changes applied could not be shown easily, but the Policy had been made easier to read.
- In terms of partnership working, the authority had received contributions to the policy from the Public Health Team, which outlined what they were doing to address the impact of alcohol on the health and wellbeing of the residents in Leicester. The authority also worked closely with the Police, Noise Team and licensing partners.
- Officers had taken the opportunity to include matters, such as Public Health,

who were now a consultee with regards to alcohol impact. Also, the policy now included areas of special interest, which would highlight particular spots of the city where applicants would be expected to address specific local circumstances in their operating schedules.

- There was concern by Members over the rise of street drinking and anti-social behaviour in both standard public areas and CIZs (Town Hall, Clock Tower, Beaumont Lees, Belgrave Gate, Evington, Narborough Road), with alcohol being bought from off-licence shops to be consumed outside the premises. It was asked if the Police brought to the Authority's attention areas where there were particular issues, namely around shopping areas. The Chief Licensing Officer clarified that Police were responsible for the safety and control of such incidents, with the Licensing Team and the Council being solely responsible for the provision of licences for establishments.

If there was an issue with a specific premise, a review application could be made by the Police or another responsible authority, or by any person, based on one or more of the licensing objectives defined in the Licensing Act 2003. If there was a problem within an area not caused by a licensed premises then the duty would fall to the Police to investigate and control.

- The Licensing Team Manager (Policy and Applications) stated that the areas of Special Interest were areas where evidence of ongoing alcohol abuse and excess consumption had been provided, either through collaboration with the Police or Council officers, or through feedback from the public.
- Members agreed to liaise with the Police over their concerns of street drinking and anti-social behaviour in their respective wards, as well as to encourage more contact with the Council's Licensing Team, as reports of anti-social behaviour and the unregulated sale of alcohol happening in Members' wards was not being addressed.
- Members were informed that evidence was required for an area to be considered as a CIZ. Due to the coronavirus pandemic the up-to-date evidence did not appear to support CIZs and therefore, Licensing were looking at areas of Special Interest in conjunction with the Noise Team, Police and Licensing Enforcement Team. It was noted that justification for CIZs would be reviewed in 12 months time.
- Members expressed anxiety over the reduction of numbers in the Police Force in the City, since 2010.
- Members unanimously agreed that safety standards in public on the streets had been deteriorating and the resources available to the Council was disproportionate to the scale of the problems being faced. Members resolved that it was in the interests of the public to tackle those problematic areas instead of solely taking a passive response in ensuring the public safety by diverting foot traffic away from these problem areas.

- Overall, the Committee was happy with the Policy and changes made.

The Chair thanked the Licensing Officers for the report.

**RESOLVED:**

That:

1. the comments be noted and taken into further consideration by the Licensing Team.
2. the Licensing Team review the list of Areas of Special Interest in light of the Committee's concerns around street drinking and anti-social behaviour.
3. the possibility of a future conference between the Council, Police, Noise Team, retailers and the public be considered to tackle problematic behaviour and street drinking in the city.

## **8. GAMBLING POLICY 2022-2025**

The Director of Neighbourhood and Environmental Services submitted a report to the Licensing and Public Safety Committee. It was noted the Council was required to publish its statement of Gambling Policy at least four weeks before it took effect, with the current statement of gambling policy due to expire on 31 January 2022.

Members were recommended to make any comments on the proposed policy and the consultation responses prior to the proposed policy being reported to Full Council on 25 November for approval.

The Chief Licensing Officer presented the report. It was noted that consultation has taken place with responsible authorities and existing gambling licence holders. Members were informed that the Gambling Act 2005 had come into effect in 2007. In looking at the guidance from the Gambling Commission there were no key issues of significance in the Council's Gambling Policy that required changing.

Members of the Committee were informed that, as had been discussed at the Neighbourhood Services Scrutiny Commission meeting, Local Authorities might consider having a "no casino" policy. It was noted that Leicester had licences for up to three casinos in the city, of which two were currently in use. After discussion, Members did not support the Authority having a 'No Casino' policy and proposed no changes to the draft Gambling Policy.

Members further discussed the suitability and unsuitability of locations of gambling establishments. Members concluded that they did not believe that the draft Gambling Policy should be changed with regards to the sensitivity of locations of gambling premises and recognised that each case would be discussed on its own merits.

The Chair thanked the officer for the report.



RESOLVED:

That the Licensing and Public Safety Committee:

1. did not support the 'No Casino' policy and proposed no changes to the draft Gambling Policy;
2. did not feel it necessary to amend the draft Gambling Policy with regards to the sensitivity of the location of gambling establishments;
3. proposed no other changes to the draft Gambling Policy and referred the report to Full Council on 25 November 2021 for approval.

## 9. TAXI STRATEGY

The Director of Neighbourhood and Environmental Services submitted a report for noting to inform the Committee Members of progress in relation to the Taxi Strategy.

The Chief Licensing Officer presented the report. It was noted that the progress of the Taxi Strategy had been reduced due to work associated with the pandemic, however it was reported the Strategy was not far from conclusion, and Members would have the opportunity to view the Strategy prior to final approval by the City Mayor.

During discussion around the report, the following observations and comments were made:

- Hackney Carriage fares were significantly more expensive than those of privately hired vehicles, which could lead to a drastic decline in hackney carriage usage over other means of private transport. Members hoped to level the playing field in regard to the fares of Leicester Hackney carriages, to match those of private hire taxi services. The Chief Licensing Officer reported that the market controlled Private Hire costs and that the Council was not involved in setting those fares. The Council set maximum tariffs for hackney carriages and those had not been reviewed for some time. A request for a review of fares would have to come from the trade.
- Members acknowledged the tremendous efforts of taxi drivers and operators during the Coronavirus Pandemic, especially for their services in assisting the elderly and delivering food parcels to those in quarantine.
- The use of bus lanes for private hire services was discussed by Members, who queried whether it would be beneficial for public and transportation services to share the operation of bus lanes. There were conflicting views for and against, with the majority of Members against private hire usage, due to potential traffic congestion of bus lanes.
- Members discussed the potential usage of CCTV operations in Taxi and Hackney Carriage vehicles. It was noted that discussion on CCTV in vehicles would be a piece of work that would commence once the Strategy

was approved, but acknowledged that if it were made mandatory, it would cost the vehicle licence holder.

- It was noted there was no imminent law change to prevent drivers licensed outside of the City Council authority from operating in the city.

The Chair noted the valid comments from Members and the information provided by the Officer. He added that he would like to see more consultation with Hackney Carriage drivers, who had to pay upwards of £60,000 for a car and should be classed as professional drivers and transport for the city.

The Chair thanked the Chief Licensing Officer for the report.

RESOLVED:

1. That the report be received and the comments noted.

## **10. CLOSE OF MEETING**

There being no other items of urgent business, the meeting closed at 7.01pm.

# 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
- Report author: Rachel Hall, Chief Licensing Officer
- Author contact details: rachel.hall@leicester.gov.uk
- 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?”*<sup>1</sup>
- 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

---

<sup>1</sup> 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

