
Taxi Driver Knowledge Test

Licensing and Public Safety Committee

Decision to be taken by: Licensing (Hearings)
Sub-Committee

Decision to be taken on/Date of meeting: 14/03/2023

Lead director/officer: Sean Atterbury, Director of
Neighbourhood and Environmental Services

Useful information

- Ward(s) affected: All
- Report author: Deborah Bragg Licensing Manager (Policy and Applications)
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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 A report was presented to members on 15 March 2022 where members were presented with a number of options to replace/amend the current knowledge test.
- 1.5 Members determined that option (e) was their preferred choice and that the Authority should continue to monitor and audit the knowledge test with the questions being set by the Council.
- 1.6 The purpose of this report is to provide an update to members on progress being made to procure an appropriate replacement to the existing knowledge test.

2. Determination to be made

- 2.1 Members are asked to note the contents of the report.

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.
- 3.2 Officers are currently working towards a set of requirements to include in a procurement proposal to go out for tender via the Councils Procurement Portal. This has included contacting suppliers that are already known to provide such services to Licensing Authorities and a visit to an Authority where officers sat through their training day to gather further information about what was included in their testing process.

4. Detailed report

- 4.1 Since the last report was presented to members outlining various options about whether to retain/amend or discontinue the knowledge test, officers have carried out further research on what is currently available from providers of training courses specific to Licensing Authorities and the assessments of the suitability of applicants to be licensed as a driver.

- 4.2 Initially this was focused on finding a suitable provider to undertake the practical driving test and include at the same time the knowledge element of what we require.
- 4.3 Our research has found that there are providers out there that could potentially combine not only the knowledge test element of our requirements but also combine other important matters that we need to assess the suitability of applicants.
- 4.4 This includes (but is not limited to) safeguarding, disability awareness, specific questions around our licensing conditions and PREVENT. The systems can also be easily updated and amended in real time so that outdated information is removed.
- 4.4 There are also face to face training courses that can be tailored to our specific needs and undertaken by professional trainers covering what we as the Licensing Authority require with an online assessment at the end of the training. The knowledge assessment compiled by the Licensing Authority would be done online but would be conducted on our premises and supervised by licensing staff. This approach had been considered previously but dismissed due to the practicalities at that time. However, advances in the market together with changes in how we operate mean that this is now a viable approach.
- 4.6 In light of what has been discovered in terms of training for licensed drivers it is proposed that the practical driving test is revisited on its own and a separate procurement exercise undertaken for providers of a practical driving test.
- 4.8 A proposal covering what we would require of any additional training requirements including elements of knowledge, will also be drafted and a procurement exercise undertaken.
- 4.7 The cost of any test is met by the applicant. This means that the procurement 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. This would be balanced against reductions in staff time spent on administering the current knowledge test.

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

5.1 Financial implications

There are no direct financial implications arising from the recommendations in this report. The cost of any 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.

Stuart McAvoy, Head of Finance

5.2 Legal implications

Sections 51(1) and 59(1) of the Local Government (Miscellaneous Provisions) Act 1976 detail that the Council shall not to grant a Private Hire Vehicle Driver's licence or a Hackney Carriage Driver's licence unless they are satisfied that the applicant is a 'fit and proper person' to hold a driver's licence. To assess whether an applicant is 'fit and proper' to hold

a licence the council are entitled to assess and test a driver's personal characteristics and professional qualifications. Knowledge tests or topographical knowledge tests can be part of such assessments. Whilst the report is for noting at this stage, Committee and Officers should when it comes to approving recommendation have regard to the Department of Transport's 2010 best practice guidance (paragraphs 75 and 76). The stringency of any 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.

In relation to Procurement, officers should seek the advice of the Council's procurement team before approaching would be suppliers and ensure that they comply with the law and the Council's own rules set out in its Constitution

Feizal Hajat, Qualified Lawyer, 0116 454 6881

5.3 Equalities implications

Under the Equality Act 2010, public authorities have a Public Sector Equality Duty (PSED) which means that, in carrying out their functions, they have a statutory duty to pay due regard to the need to eliminate unlawful discrimination, harassment and victimisation and any other conduct prohibited by the Act, to advance equality of opportunity between people who share a protected characteristic and those who don't and to foster good relations between people who share a protected characteristic and those who don't.

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 progress being made to procure an appropriate replacement to the existing knowledge tests for taxi drivers. An Equality Impact Assessment is currently underway, and this will need to be updated to reflect progress including the change of direction for the procurement of a practical driving test and any associated costs.

Sukhi Biring, Equalities Officer, 454 4175

5.4 Climate Emergency implications

There are limited climate emergency implications associated with this report. As service delivery contributes to the council's carbon emissions, the impacts of commissioning and procurement can be managed through applying the council's sustainable procurement guidance, as applicable to the project and activities that are carried out.

Aidan Davis, Sustainability Officer, Ext 37 2284

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

None.

6. Background information and other papers:

Report presented to Licensing and Public Safety Committee on 15 March 2022

7. Summary of appendices:

None

8. 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

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

No