

ABERDEEN CITY COUNCIL

COMMITTEE	Licensing Committee
DATE	13 December 2016
DIRECTOR	Richard Ellis
TITLE OF REPORT	KNOWLEDGE TESTING FOR PRIVATE HIRE DRIVERS
REPORT NUMBER	CG/16/153
CHECKLIST COMPLETED	Yes

1. PURPOSE OF REPORT

To inform the Committee that Section 64 of the Air Weapons and Licensing (Scotland) Act 2015 (hereinafter referred to as “the 2015 Act”) came into force on 1 November 2016 giving the Licensing Authority the ability to require applicants for a private hire car licence to take a knowledge test prior to the grant or renewal of the licence; to extend the current knowledge test to private hire drivers.

2. RECOMMENDATION(S)

That the Committee

1. Approve the Introduction of a knowledge test for private hire car drivers applicable to any application lodged on or after 1 November 2016 and
2. Extend the current knowledge test to private hire drivers.

3. FINANCIAL IMPLICATIONS

It is intended to carry out the annual review of the application fees to ensure that the taxis and private hire fees set are sufficient to meet the expenses of the Licensing Authority in exercising their functions.

4. OTHER IMPLICATIONS

The requirement to carry out additional tests will have a staff resource and administration implications which in the short term will be absorbed into current staff workloads. Long term the implications of this additional workload and the addition of new legislation requirements

relating to the administration of the taxis and private hire regime will require to be examined and fully costed.

5. BACKGROUND/MAIN ISSUES

At its meeting on 2 February 1990 the Licensing Committee agreed to extend the administration of a street knowledge test to private hire drivers. The test was already in operation in relation to taxi drivers. The Committee was aware that there was no specific reference in the Civic Government (Scotland) Act 1982 for knowledge testing for private hire drivers. However the Committee noted that it was a condition of every private hire drivers licence that the driver ensured the passenger was driven to their destination by the shortest possible route. By imposing a street knowledge test on private hire drivers the Committee sought to ensure the interests of the public could be suitably protected.

On 25 November 2014 the Licensing Committee refused an application for a private hire drivers licence on the ground that there was other good reason for refusal, namely the applicant's failure to pass the street knowledge test. The applicant in question subsequently appealed the decision to the Sheriff Court. After hearing submissions from both the applicant and the Council, the Sheriff issued his judgement on 18 November 2015.

The Sheriff upheld the appeal by the applicant. He determined that the Committee's policy of 2 February 1990 was ultra vires and therefore the Committee acted beyond its powers.

The Committee agreed that the decision of 2 February 1990 will be set aside pending the implementation of the relevant provisions of the 2015 Act.

Section 64 of the 2015 Act amends section 13 of the 1982 Act to allow knowledge testing of applicants for a private hire car driver licence.as per the ability to do so for a taxi drivers licence and came into force on 1 November 2016.

It is recommended that the Committee adopt a knowledge test for private hire car drivers applicable to any application lodged on or after 1 November 2016.

It is further recommended that the Committee extend the test already in operation for taxi drivers (Appendix 1) to private hire car drivers.

6. IMPACT

Improving Customer Experience –

The provision of a knowledge test for both taxi and private hire car drivers should ensure insofar as possible a consistency of service

across the taxi and private hire car fleet and offer a better experience for customers.

Corporate -

Improving standards across the taxi and private hire fleet fits in with the aims of the Council's Local Transport Strategy.

Public –

This report will be of interest to members of the public who make use of licensed private hire cars. An EHRIA has been completed however it has concluded the proposal will generally have a neutral impact on the protected characteristic groups and does not have the potential to impact on any person's human rights.

7. MANAGEMENT OF RISK

Failure to implement a knowledge test for private hire drivers may result in a two tier system and lead to lower standards of service for passengers who utilise private hire cars. The provision of a knowledge test for both taxi and private hire car drivers should ensure insofar as possible a consistency of service across the taxi and private hire car fleet and offer a better experience for customers.

8 BACKGROUND PAPERS

None

9 REPORT AUTHOR DETAILS

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GUIDANCE NOTES FOR STREET KNOWLEDGE TEST CANDIDATES

As an applicant for a taxi or private hire car driver's licence, you must be able to demonstrate a thorough knowledge of the City prior to being licensed by Aberdeen City Council as a taxi or private hire car driver.

This is achieved by means the Street Knowledge Test, which you must successfully negotiate before moving on to the next stage of the licensing procedure.

The test is divided into four parts:

- 1) **Streets** – where you are given the name of a street and must provide the names of the streets at either end of the street given. [There are 20 streets and one mark is given for correctly identifying the street at each end. Time to complete around 30 mins. Pass mark 30/40]
- 2) **Places of Interest** – where you are given a list of places of interest and must provide the name of the streets where they are located. [There are 20 places of interest given. Time to complete around 15 mins. Pass mark 15/20]
- 3) **Routes** – you will be required to demonstrate that you can convey a passenger by the shortest practical route between a given starting point and destination, thus evidencing your knowledge of how to journey quickly and safely through the city's roads and streets. [5 routes are provided. Time to complete around 30 mins. Pass mark 4/5].
- 4) **Traffic Signs** – where you must correctly identify a series of road traffic signs. [20 signs provided. Time to complete around 15 mins. Pass mark 15/20].

You must pass each of the four parts to gain an overall pass in the test. If you fail one or more part you will fail the test.

Testing will take place at the Town House, Broad Street, Aberdeen on Monday afternoons at 2.15pm. The test should be completed in 1 hour 30 mins.

If you have any questions or require further information please do not hesitate to contact the licensing authority by email at licensing@aberdeencity.gov.uk or by telephone on (01224) 522879/522878.