
COMMITTEE	Licensing Committee
DATE	12 September 2017
REPORT TITLE	Update on Driver Training and Knowledge Test
REPORT NUMBER	CG/17/094
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1. PURPOSE OF REPORT:-

- 1.1 The purpose of the report is to advise the Committee of the outcome of further discussion held with the Taxi Consultation Group on the training for taxi and private hire drivers and the format of the knowledge test.

2. RECOMMENDATION(S)

- 2.1 It is recommended that the Committee:
- (a) notes the updates; and
 - (b) instructs the Head of Legal and Democratic Services to investigate possible methods of delivery of driver training and report back to Committee on 6 February 2018 with details of the options available; and
 - (c) instructs the Head of Legal and Democratic Services to undertake consultation with the trade on amendments to the procedure for applying for a taxi driver's licence or private hire driver's licence involving the Knowledge Test as detailed at paragraphs 3.14 and 3.15 of the report.

3. BACKGROUND/MAIN ISSUES

Driver Training

- 3.1 At the meeting on 18 April 2017 the Committee were presented with the results of a consultation exercise that had been undertaken in July and August 2016 on the subject of driver training.
- 3.2 The consultation exercise had attracted a relatively small number of responses but had indicated a clear preference that any such training would

be focussed on customer service matters as opposed to others that were already covered within the Knowledge Test.

- 3.3 The Committee noted the results and instructed further discussion with the Taxi Consultation Group (TCG) on the issue. The matter was accordingly placed on the agenda for the TCG meeting on 27 June 2017.
- 3.4 It was explained at the meeting that although the number of responses had been low there was a clear preference that the training be focussed on the customer service matters and the view of the TCG members was sought on that. The group was unanimous in the view that this was a sensible approach and agreed that the subject matter of any training should be focussed on those matters.
- 3.5 The group then considered that there were a number of options with regard to the method of delivery of such training, the training provider and the level of training to be provided. It was accepted that further investigation would be required to fully ascertain the options but the group were of the view that in order for any training to be effective it would require to be made compulsory. It was also suggested that the cost implications of the various options be included in any analysis.

Knowledge Test

- 3.6 At the same meeting of the TCG the results of the consultation exercise on the Knowledge Test was discussed, again in response to the Committee's instructions on 18 April. It was explained that this exercise had been the subject of an encouraging number of responses and that the consensus, as reported to Committee on 18 April was that the current test remained fit for purpose subject to continuing monitoring and updating as required.
- 3.7 The TCG indicated that this reflected the opinion of the trade and that their members remained in favour of the format and content of the test as it currently stood.
- 3.8 Investigations were also undertaken regarding the content and format of the test which supported the outcomes of the consultation exercise in that the test is broadly comparable with those administered by other Local Authorities. This applies to the format of the test and the content. The required pass mark is also broadly comparable, and indeed is generally higher in other Authorities than that currently required by the Committee.
- 3.9 Discussions were held with the Equalities Team regarding tailoring the test for individuals who have certain conditions or disabilities that may affect their ability to sit the standard test. Whilst blanket measures would not be appropriate as they would not cater for every situation it is intended to highlight to applicants the need to make clear any condition which they consider might affect their ability to sit the test in order that appropriate investigations can be undertaken to establish reasonable measures that can be put in place to provide those applicants with the same opportunity to sit the test as other applicants without such a condition. The Equalities Team will be

consulted on all such cases to ensure that all reasonable steps are being taken.

- 3.10 As part of those investigations the concept of a practical test was considered but was not considered feasible for a number of reasons. Firstly there is currently no available resource to accommodate such a test, even on an occasional basis. There are also practical issues, the Authority does not have access to a vehicle for such purposes and the applicant will not always have one available. Even if one were to hand there are potential health and safety matters for officers entering an unknown vehicle for the purposes of their employment as well as possible insurance considerations in such circumstances.
- 3.11 The concept of the Equalities legislation should also be borne in mind. The idea is to remove impediments to a particular activity, in this case sitting the test. It is not intended to introduce a separate activity, or test in this case. There is a strong argument that a practical test is materially different to that sat by all other applicants and that is not the intention of the legislation. Anecdotal evidence would suggest that the majority of applicants would prefer to sit a practical test given the choice, and as previously advised, the resources to facilitate this are not available.
- 3.12 As stated at paragraph 3.7 the TCG indicated they were in support of the current format of the test and advised that they would be opposed to any introduction of a practical test on an individual basis. This was largely based on the reasons given in the preceding paragraph in that they did not view a practical test as comparable to the standard Knowledge Test.
- 3.13 Officers are not aware of any other Authority offering a practical test at this time.
- 3.14 Discussions with other Authorities in the course of the investigations did reveal one possible amendment to the process of administration of the Knowledge Test which may reduce the number of applications requiring to be placed before the Committee. It is suggested that consultation is undertaken on introducing a separate fee for the test, removing the limit on the number of times an applicant may sit the test, and making it a requirement to have passed the test before an application for a licence is valid.
- 3.15 This would remove the situation where an application is required to be placed before Committee because the 6 month deadline is approaching and the applicant has not yet passed the test. The scheme would operate similar to the Personal Licence regime in alcohol licensing whereby an applicant would require to submit a pass certificate along with an application in order to be valid.
- 3.16 Officers are also looking at updating the information on the test that is available on the Authority's website in order to provide more clarity for potential applicants and are also investigating the possibility of having the test itself computerised.

Conclusion

- 3.17 It is recognised that the addition of drivers' training is potentially beneficial to the trade. Accordingly it is recommended that the various options are investigated and further information on those options is reported back to Committee.
- 3.18 The current format and content of the Knowledge Test was the subject of extensive consultation and attracted an encouraging number of responses. The results of that consultation suggested that, subject to monitoring and updating as required, the test is fit for purpose in its current format. The further investigation and discussions have not provided any evidence to the contrary and it is therefore suggested that the test is maintained in its current format subject to possible modernisation by way of computerisation should that be feasible.
- 3.19 Lastly, in order to simplify the application process and cut down on unnecessary referrals to Committee it is recommended that the Committee consider amendments to the process by which the Knowledge Test must be successfully passed before an applicant can submit an application for a driver's licence in respect of both taxis and private hire vehicles.

4. FINANCIAL IMPLICATIONS

- 4.1 There are no direct financial implications arising from the recommendations of this report.

5. LEGAL IMPLICATIONS

- 5.1 There are no direct legal implications arising from the recommendations of this report.

6. MANAGEMENT OF RISK

FINANCIAL

- 6.1 There is no direct financial risk from the recommendations.

EMPLOYEE

- 6.2 There is no direct risk from the recommendations.

CUSTOMER/CITIZEN

- 6.3 There is no direct risk from the recommendations.

ENVIRONMENTAL

6.4 There is no direct risk from the recommendations.

TECHNOLOGICAL

6.5 There is no direct risk from the recommendations.

LEGAL

6.6 There is no direct risk from the recommendations. Maintaining the current format of the Knowledge Test, subject to reasonable adjustments where the circumstances require it, ensures uniformity for all applicants and reduces the risk of challenge on the grounds of fairness or natural justice.

REPUTATIONAL

6.7 There is no direct risk from the recommendations.

7. IMPACT SECTION

Economy

7.1 There is no direct economic impact arising from the recommendations.

People

7.2 Introduction of driver training should result in improved customer services for those utilising the taxi or private hire trade.

Place

7.3 There is no direct impact arising from the recommendations.

Technology

7.4 There is no direct impact arising from the recommendations.

8. BACKGROUND PAPERS

CG/17/019 Response to Consultation on Training for Taxi and Private Hire Drivers.

9. APPENDICES (if applicable)

N/A

10. REPORT AUTHOR DETAILS

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