

HAMBLETON DISTRICT COUNCIL

Report To: Licensing Committee
30 July 2019

From: Principal Licensing Officer

Subject: **HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY – PRACTICAL DRIVING ASSESSMENTS**

All Wards
Scrutiny Committee

1.0 PURPOSE AND BACKGROUND

1.1 The purpose of this report is to consider re-introducing a requirement for hackney carriage and private hire drivers to undergo a practical driving test prior to obtaining a licence.

2.0 INFORMATION AND ANALYSIS

Background

2.1 Prior to 31st December 2016, in accordance with the council's Hackney Carriage and Private Hire Licensing Policy, all applicants for a hackney carriage or private hire driver's licence were required to have successfully completed a Driver and Vehicle Standards Agency (DVSA) taxi assessment.

2.2 The object of the assessment was to ensure that applicants could demonstrate:

- familiarity with the principles of safe driving;
- consideration for fare paying passengers;
- competence; and
- consideration for other road users.

2.3 The assessment involved:

- an eyesight test;
- manoeuvres;
- driving without directions;
- emergency stops;
- related questions (e.g. what to do if a passenger leaves property in the vehicle);
- questions from the Highway Code; and
- identifying traffic signs and road markings.

2.4 The DVSA withdrew the provision of the taxi assessments with effect from 1st January 2017. In the absence of any obvious equivalents to the DVSA test, the council's Licensing Committee resolved to dispense with the requirement to produce a DVSA test certificate and therefore applicants are not currently under any obligation to undergo any practical driving training.

- 2.5 All applicants for a hackney carriage and/or private hire driver licence must have held a Driver and Vehicle Licensing Agency (DVLA) licence for at least one year and all penalty points are monitored in line with the council's policy. On that basis, the council can still be satisfied as to any applicant's driving ability and any concerns can be addressed on a case-by-case basis. However, in the absence of a formal practical driving assessment, the council cannot be satisfied that the service offered to customers by hackney carriage and private hire drivers meets the expectations of the public, nor that it meets the standards achieved in the past.

Wheelchair accessible vehicles

- 2.6 A new provision of the council's policy was due to take effect from 1st January 2017 requiring drivers of wheelchair accessible vehicles to demonstrate their ability to safely load and unload wheelchairs and to fasten, secure and release any belts, harnesses and clamps. The requirement was to be achieved by inserting the following paragraph into the policy.

"The licensing authority will not normally grant a driver licence to any individual unless they have successfully completed a Driver and Vehicle Standards Agency (DVSA) taxi assessment. The standard assessment is acceptable for most drivers but anyone wishing to drive wheelchair accessible vehicles must pass the enhanced assessment (or the upgrade assessment where appropriate) or an alternative qualification approved in writing by an authorised officer".

- 2.7 Furthermore, the following condition was due to be imposed on all relevant driver licences:

"The licence does not authorise the driver to drive any wheelchair accessible vehicles licensed by Hambleton District Council unless a DVSA enhanced assessment (or an alternative qualification approved in writing by an authorised officer) has been passed and a certificate has been obtained and submitted to an authorised officer. The driver shall not drive a vehicle unless he/she understands how to operate the vehicle and any equipment fitted to make the vehicle accessible by disabled persons".

- 2.8 However, following the DVSA's decision to withdraw their assessments, it was not possible to implement the new provisions and therefore the measures that the council intended to take had no impact.

- 2.9 In order to ensure that all drivers of wheelchair accessible vehicles are capable of using the accompanying equipment, the following condition was imposed on all hackney carriage and private hire vehicle licences:

"The holder of this licence shall ensure that the driver understands how to operate the vehicle and any equipment, including, where applicable, any equipment fitted to make the vehicle accessible by disabled persons".

- 2.10 However, it is clear that demonstrable competence (i.e. by way of a formal assessment) would be more reliable than the general obligation contained within the current licence conditions and therefore it is proposed to reapply the provisions contained within paragraph 2.6 and 2.7 of this report. This would ensure that all drivers of wheelchair accessible vehicles have received adequate training.

Available assessments

2.11 Alternative providers of assessments equivalent to the DVSA test have now made their services available and therefore a practical driving test may be re-introduced as part of the application process.

2.12 The following organisations provide examples of suitable assessments:

2.12.1 Green Penny:

Standard assessment: £82.00 (weekday); £98.50 (weekend)

Wheelchair exercise: £26.50 (weekday); £33.00 (weekend)

Enhanced assessment: £94.50 (weekday); £115.00 (weekend)

(enhanced assessment combines the standard assessment and wheelchair exercise)

2.12.2 Blue Lamp Trust:

Standard assessment: £87

Wheelchair exercise: £40

2.13 As all existing licensed drivers have already been deemed suitable to hold a hackney carriage and/or private hire driver licence, it would not be appropriate to require all drivers to undertake the assessment. Accordingly, it is proposed to require all applicants for the grant of a hackney carriage and/or private hire driver licence to undergo a suitable practical driving assessment (equivalent to the DVSA test). Assessments may be approved by officers on a case-by-case basis.

Conclusion

2.14 The re-introduction of a practical driving assessment requirement would:

- enhance driver competence and awareness;
- promote public safety;
- enable HDC to re-introduce the requirement for drivers of wheelchair accessible vehicles to demonstrate their competence with wheelchairs and any accompanying equipment; and
- maintain standards with neighbouring authorities.

3.0 EQUALITY AND DIVERSITY

The Council's equality duty has been considered and any implications have been addressed from paragraph 2.6 to paragraph 2.10 of the report.

4.0 FINANCIAL IMPLICATIONS AND EFFICIENCIES

4.1 The proposals should have no significant financial implications for the council. The cost of the consultation process will be recovered from licence fees in the normal course of business.

4.2 The proposals may have a financial impact on new applicants for hackney carriage and private hire driver licences.

4.3 Typical costs have been included in paragraph 2.12 of the report. The costs are in line with the fees charged by the DVSA prior to the withdrawal of their tests.

4.4 Members are asked to balance the benefits to the public against the cost to the hackney carriage and private hire trade.

5.0 RECOMMENDATION:

5.1 Members are asked to authorise a full consultation to be carried out in relation to practical driving assessments on the understanding that the matter will return to the Committee for consideration of any responses.

GARY NELSON
DIRECTOR OF LAW AND GOVERNANCE (MONITORING OFFICER)

Background papers: Hackney Carriage and Private Hire Licensing Policy (January 2019)
Author ref: SF
Contact: Simon Fisher
Principal Licensing Officer
Direct Line No: (01609) 767209