

Hackney Carriage & private Hire – Knowledge Test

Final Decision-Maker	LICENSING COMMITTEE
Lead Head of Service	John Littlemore, Head of Housing and Community Services
Lead Officer and Report Author	Sharon Bamborough, Head of the Licensing Partnership
Classification	Public
Wards affected	All

Executive Summary

There has been a proposal made by an operator about an alternative scheme for new private hire drivers.

The first part of the report contains the proposal by one of the operators to introduce an alternative badge scheme for new private hire drivers which would not require the Knowledge Test and Equo Test to be passed. This was initially put forward at the previous Licensing Committee held on 16 September 2021 and the decision was adjourned to this meeting in order that more data on current knowledge tests taking place be gathered for the committee. This will require a decision by members.

In the second part of the report, Members may recall that in April 2021 they agreed to a temporary amendment of the knowledge test so as to remove the routes part of the test for six months (up to end of November 2021) to give an opportunity to assess whether that made a difference in the pass rate for new drivers. The results of those tests are in and are set out in the appendices. Members should note that period is coming to an end and may wish to decide to extend the period, make it permanent or confirm that it will be re-instated from December 2021.

Purpose of Report

Section 1. Decision
Section 2. Decision

This report makes the following recommendations to this Committee:

1. In respect of the proposal to introduce an alternative badge scheme for private hire new drivers, officers recommend refusal to implement the proposed alternative badge scheme for new drivers
2. In respect of the routes part of the knowledge test, to extend the routes not being part of the test for a further six months and review again to assess how many new drivers we have passed since the trial began.

Timetable

Meeting	Date
Licensing Committee	11-11-2021

Hackney Carriage and Private Hire Knowledge Test

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	<ul style="list-style-type: none"> <i>No implications have been identified</i> 	Sharon Bamborough – Head of the Licensing Partnership
Cross Cutting Objectives	<ul style="list-style-type: none"> <i>No implications have been identified</i> 	Sharon Bamborough – Head of the Licensing Partnership
Risk Management	<ul style="list-style-type: none"> <i>No implications have been identified</i> 	Sharon Bamborough – Head of the Licensing Partnership
Financial	<ul style="list-style-type: none"> As a result of the analysis of past tests it is possible there will be some refunds needed but this is not expected to exceed £1K 	John Littlemore, Head of Housing and Community Services
Staffing	<ul style="list-style-type: none"> <i>No implications have been identified</i> 	Sharon Bamborough – Head of the Licensing Partnership
Legal	<ul style="list-style-type: none"> <i>No implications have been identified</i> 	Robin Harris, Mid Kent Legal Services
Privacy and Data Protection	<ul style="list-style-type: none"> <i>No implications have been identified</i> 	Sharon Bamborough – Head of the Licensing Partnership
Equalities	<ul style="list-style-type: none"> <i>No implications have been identified</i> 	Sharon Bamborough – Head of the Licensing Partnership

Public Health	<ul style="list-style-type: none"> <i>No implications have been identified</i> 	Sharon Bamborough – Head of the Licensing Partnership
Crime and Disorder	<ul style="list-style-type: none"> <i>No implications have been identified</i> 	Sharon Bamborough – Head of the Licensing Partnership
Procurement	<ul style="list-style-type: none"> <i>No implications have been identified</i> 	Sharon Bamborough – Head of the Licensing Partnership
Biodiversity and Climate Change	<ul style="list-style-type: none"> <i>No implications have been identified</i> 	Sharon Bamborough – Head of the Licensing Partnership

2. INTRODUCTION AND BACKGROUND

2.1 A history of the introduction of the knowledge test and analysis of pass rates was considered by the committee at their meeting of 15th April 2021. An extract from that report is attached as **Appendix 1** for easy reference. At that meeting a decision by members was made as follows:

1. The pass rate for the highway code section of the knowledge test, for private hire applicants only, be increased to 90% with the number of questions in that section be increased to 10; and
2. The Routes and Street element of the rest for private hire applicants only be removed for a period of 6 months.

Section One

- 2.2 The proprietors of Express Cabs & Couriers Ltd have put forward a proposal for a 12 month temporary badge for new drivers which would not require them to pass the knowledge test (or new Equo test) before being able to undertake private hire driving work. Please see **Appendix 2**.
- 2.3 Officers would advise that since the knowledge test was introduced in 2017 standards have been raised significantly and Members have approved this approach. The new **statutory** standards for taxi services introduced by the Department for Transport in July 2020 go even further. Maidstone was in such a good place with their own standards when this was introduced last year that there was minimal work to be done to comply with the required implementation – MBC has introduced additional Equo training which specifically deals with safeguarding awareness and we have embraced the additional driver checks required.

- 2.4 Officers would suggest that the hackney carriage/private hire testing is done to such a standard as to give excellent reassurance to the public. Many years ago it may have been perceived to be an easy industry to get into (many might even suggest it was unskilled) but now this is a profession to be proud to be part of and the public have become accustomed to the professional service they enjoy.
- 2.5 Whilst every sympathy is felt for the operators who may struggle to attract drivers, officers do not feel they can recommend the proposed scheme which would put drivers on the road in Private Hire vehicles without all of the required training and testing, because this would go against the national statutory standards. In addition it would undermine the confidence the public has in knowing our drivers have all passed the necessary tests and potentially lead to complaints.
- 2.6 There have been no complaints received from the public about a lack of availability nor any evidence provided that it has led to a public safety issue.
- 2.7 All sectors of industry are reporting shortages of staff and this is not isolated to the taxi trade.
- 2.8 Updated test results information is provided at **Appendix 3** which shows that under the current testing arrangements, we are seeing an upward trend in the number of drivers passing the test.
- 2.9 The licensed operator has been invited to the meeting should Members wish to hear from the representatives of the company.
- 2.10 It should be noted that should the Committee be minded to approve the proposal, because it would be a significant departure from the current policy, it would be necessary to fully consult the public and trade on the proposal and report those findings back to a future meeting for a final decision to be made.

Section Two:

THE KNOWLEDGE TEST FOR PRIVATE HIRE DRIVERS - ROUTES

- 2.11 The temporary removal of the routes part of the knowledge test for private hire drivers comes to an end on 30 November 2021.
- 2.12 The most up to date information is set out in Appendix 3 showing the pass rates (and an updated position will be available on the evening of the meeting as tests are currently being held on average once a week).
- 2.13 From May – Oct 21 (5 months) we have had 16 candidates pass, double the number for the years 2018, 2019 & 2020 combined. Removing Routes and Streets has definitely improved the pass rate for candidates.
- 2.14 The current results show an upward trend in the number of passes being achieved by potential drivers which will increase the pool of available drivers in Maidstone borough.

- 2.15 Since the start of the trial no complaints have been received about drivers not knowing their journeys.
- 2.16 Officers feel that this warrants a further extension of the trial to have a year's worth of data to review to consider whether or not to reinstate that part of the test or dispense with it altogether.
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3. AVAILABLE OPTIONS

- 3.1 *In respect of the proposal to introduce an alternative badge scheme for private hire new drivers, to make a decision to:*

Either:

Refuse to implement the proposed alternative badge scheme for new drivers

Or

Agree to the proposed alternative scheme and instruct consultation to be carried out with the trade and public.

- 3.2 *In respect of the knowledge test and whether to revert back to the routes forming part of the test for private hire drivers, to make a decision to:*

Either:

Instruct officers that the routes part of the test for all potential private hire drivers be re-instated from 1st December 2021

Or

Agree to a further extension of the removal of the routes part of the test for a further six months (or other period they deem necessary)

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 Members are requested to refuse the proposal in Section 1 to have a temporary badge scheme whereby drivers could operate without having sat and passed the knowledge test and Equo training, for the following reasons:

- (i) as this would be contrary to the new National Statutory Standards and would go against previous Member decisions to elevate the training standards and requirements.
- (ii) The current statistics, despite the concerns raised about the test, show an upward trend in the number of drivers passing
- (iii) It has not been evidenced that there is a public safety issue requiring such a change to be made

- 4.2 Members are requested to agree a further extension of the removal of routes from the private hire knowledge test for the following reasons:
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- (i) so far the results have been encouraging in that it has increased the pass rate for the drivers taking the test, which leads to more new drivers becoming licensed
 - (ii) it is felt that a further extension would give a year's worth of data to then make a more permanent decision as to whether it should be re-instated, further extended or dispensed with.
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5. RISK

- 5.1 Failure to introduce the proposed scheme to assist the trade could result in a shortfall of Maidstone licensed drivers. This could see an increase in out of town drivers being in Maidstone illegally cashing in on the employment gap and ultimately causing enforcement issues for the Licensing Department.

6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 6.1 N/A
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7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 7.1 Should Members approve the proposed scheme by the trade consultation would then be carried out with the public and trade and the results reported back to a future meeting of the licensing committee.
 - 7.2 Whatever the decision regarding the knowledge test routes element, this will be communicated to the trade and potential new drivers
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8. REPORT APPENDICES

- Appendix 1: Extract from committee minutes of 15.04.2021 outlining the knowledge test and the decision made
 - Appendix 2: proposal from trade re temporary badge for drivers without knowledge test
 - Appendix 3: Tables of analysis on knowledge tests going back to July 2019
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9. BACKGROUND PAPERS

None