

## **TAUNTON DEANE BOROUGH COUNCIL**

### **LICENSING SUB COMMITTEE – 19 November 2009**

#### **Report of the Licensing Officer**

## **INTRODUCTION OF DRIVERS STANDARDS AGENCY PRIVATE HIRE AND HACKNEY CARRIAGE DRIVER ASSESSMENTS**

### **1 PURPOSE OF REPORT**

- 1.1 To consider amending the councils existing policy for private hire and hackney carriage driver applications by introducing a requirement for all new applicants to obtain a pass certificate from the Driving Standards Agency (DSA) as part of the application process.

### **2 BACKGROUND**

- 2.1 Section 59(1) of the Local Government (Miscellaneous Provisions) Act 1976 provides that the council must not grant a licence to drive a hackney carriage or private hire vehicle

(a) unless satisfied that the applicant is a fit and proper person to hold a drivers licence or

(b) to any person who has not, for at least 12 months prior to the date of application, been authorised to drive a motor vehicle or is not so authorised at the date of the application.

- 2.2 When determining whether the applicant is a fit and proper person criminal convictions are not the only relevant or necessary criteria. Section 57(1) of the Local Government (Miscellaneous Provisions) Act 1976 allows a district council to require an applicant “to submit to the local authority such information as they may reasonably consider necessary to enable them to determine whether the licence should be granted and whether conditions should be attached to any such licence”. This may include undertaking driving tests.

- 2.3 All applicants are subject to a Criminal Records Bureau check disclosing any previous convictions, which may include driving offences. Any offences disclosed, including driving offences, are taken into consideration before a licence is granted. At present no suitable driving test is considered by the licensing officers as they are not qualified or trained to conduct such a test.

- 2.4 Recently the area has seen a large increase in the number of foreign drivers taking up employment as hackney carriage and private hire drivers. Some of these drivers have qualified in their native country, but have not passed a test in the UK. The licensing service receives a number of complaints about hackney carriage and

private hire drivers. The introduction of the DSA drivers test and assessment (**SEE APPENDIX A**) will be a positive step towards addressing some of the concerns raised by these changes.

- 2.5 This will not be retrospective on existing drivers unless this is a sanction imposed following a taxi sub committee.
- 2.6 Hackney Carriage and Private hire drivers are the only group of professional drivers in the country who are not required to pass a further national standard driving test before being allowed to carry passengers for hire and reward. There is a DSA testing station in Taunton, however for drivers who operate wheelchair accessible vehicles the wheelchair assessment is only carried out at test centres in Yeovil or Exeter.
- 2.7 The DSA Hackney Carriage and Private Hire Assessment Test is specifically designed to test the skills required to drive a taxi safely and includes assessment of awareness and anticipation, effective planning relating to road traffic conditions, correct use of speed, passenger safety and comfort, a wheelchair exercise, taxi manoeuvres and a special taxi related exercise. The assessment lasts for forty minutes. The current cost of the standard test is £76.34, the wheelchair assessment test is £89.07. If applications only take the standard test they are able to top this up with the wheelchair assessment at a later date at the cost of £25.00. Applicants arranging and pay for the test directly with the DSA, there are no cost implications for the authority.
- 2.8 The proposed changes to driver qualifying criteria are primarily intended to ensure the highest standards of safety and efficiency for the travelling public. It has become progressively more important, because of the increasing traffic volumes on the road and the influx of foreign drivers taking up employment in the area that drivers of hackney carriages and private hire vehicles within the Taunton Deane Borough Council area demonstrate the level of competencies that must be reached by the DSA test to assist with ensuring the safety of passengers and others on the road.

The test offers the following benefits.

1. National Standard throughout the country
2. Increased credibility of drivers competence
3. Provides positive customer protection
4. Provides a quality audited service to the community
5. Acceptable to all Local Authorities
6. Drivers do not have to take a separate driver compliance test if they move to another authority.
7. 25% discount is offered on taxi insurance with Swinton or TFT insurers, (which can be up to as much as £600)

It is proposed that the DSA testing criteria be added from 01 April 2010

## **Recommendation**

That the Licensing Committee agrees to adopt the requirement for all new private hire and hackney carriage drivers, and not existing drivers, to attain a pass in the Driving Standards Agency Standard Taxi Test and Assessment before their application is considered by the Council.

The Licensing Committee may also want to consider that taxi drivers who receive points on their driving licence throughout the period of their licence, or are brought before the Licensing Committee must be made to take the Standard Taxi Test and Assessment before continue to drive again.

That this new policy should come into effect on 01 April 2010

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