

Licensing Committee – 4<sup>th</sup> December 2007

## 6. Introduction of Driving Standards Agency Private Hire and Hackney Carriage Driver Assessments

*Executive Portfolio Holder:* Ric Pallister, Housing, Environmental Health and Inclusion  
*Head of Service:* Laurence Willis, Head of Environmental Health and Community Protection  
*Lead Officer:* Julia Bradburn, Principal Licensing Officer  
*Contact Details:* julia.bradburn @southsomerset.gov.uk or (01935) 462113

### Purpose of the Report

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.

### Recommendation

- (1) That the Licensing Committee agrees to adopt the requirement for all new private hire and hackney carriage drivers to attain a pass in the Driving Standards Agency taxi test and assessment before their application is considered by the Council.
- (2) That this new policy should come into effect on 1<sup>st</sup> April 2008.

### Background

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.

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.

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.

## Report Detail

Recently the area has seen a large increase in the number of foreign drivers taking up employment as hackney carriage and private hire drivers. These drivers have qualified in their native country, but have not passed a test in the UK. In addition there has been a noticeable increase in the number of taxi drivers committing offences whilst working. Finally, the licensing service has recorded an increase in the 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. This will not be retrospective on existing drivers unless this is a sanction imposed following a taxi sub committee.

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.

Until recently we were not able to offer the DSA testing in our area. The nearest test stations were in Bristol or Weymouth The licensing team have recently received confirmation from the DSA that Yeovil testing station will be live for the DSA test from the end of November 2007.

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 test is £58 with applicants arranging and paying for the test directly with the DSA.

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 SSDC 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.

It is proposed that the DSA testing criteria be added from 1<sup>st</sup> April 2008.

## Consultation

All the town councils who issue hackney carriage licences were consulted prior to this report being submitted. The Assistant Town Clerk on behalf of Yeovil Town Council stated " The Planning and Licensing committee met on the 29<sup>th</sup> October and considered

your report. They support the introduction of the DSA test for new private hire/Hackney Carriage Drivers.”

Wincanton was also supportive of the new DSA testing proposal. No comments were received from Crewkerne or Ilminster Town Councils.

### **Financial Implications**

Payment for the DSA test will be paid by the driver direct to the DSA. There are no cost implications for the authority.

### **Implications for Corporate Priorities**

This new requirement will support Corporate Aim 4, ensuring safe, sustainable and cohesive communities.

### **Other Implications**

None

*Background Papers: DSA Hackney Carriage/Private Hire Assessment Explained*

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