

## **WEST DUNBARTONSHIRE COUNCIL**

### **Report by the Head of Legal, Democratic and Regulatory Services**

#### **Licensing Committee – 5 September 2012**

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**Subject: Proposed Changes to the Taxi Topographical Test for Taxi Driver/Private Hire Car Driver Licence Applicants.**

#### **1. Purpose**

- 1.1** To consider changing the method of testing potential applicants for a Taxi Driver/Private Hire Car Driver's Licence from a verbal test to a multiple choice written test in order to improve the transparency of the examination.

#### **2. Recommendations**

- 2.1** It is recommended that the new method of testing potential applicants for a Taxi Driver/Private Hire Car Driver's Licence, the introduction of a test fee and compulsory attendance at an introductory advice session, be considered by the Committee for implementation.

#### **3. Background**

- 3.1** Section 13 (5) of the Civic Government (Scotland) Act, 1982 provides that:-

*'A licensing authority may require an applicant for a taxi driver's licence to take a test of his/her knowledge of the area to which the licence is to relate, of the layout of roads in that area and other such matters relating to the operation of a taxi as the authority consider desirable, and the authority may refuse to grant a licence to a person who does not satisfy them that he has adequate knowledge of any of these matters.'*

- 3.2** The current policy of West Dunbartonshire Council is to require all potential applicants for a taxi driver's/private hire car driver's licence to successfully undertake a verbal 'topographical test', prior to accepting any application. This test is more commonly known as the 'taxi knowledge test' and will be referred to as such throughout this report.

- 3.2** The current format of West Dunbartonshire Council's 'knowledge test' is to verbally test the applicant on his/her knowledge of public buildings, local landmarks, places of interest, street names and routes throughout the area. There is a separate test for the Clydebank Taxi zone and for the Dumbarton and Vale of Leven Taxi zone depending on which zone the applicant wishes to operate.

- 3.3** Consultation has been carried out with neighbouring local authorities and it would appear that West Dunbartonshire Council is the only authority in the Glasgow and surrounding area to use a verbal test for this purpose. It is

therefore felt that the current format may be outdated and that the process would benefit from a format which is more accountable, transparent and also recordable.

#### **4. Main Issues**

**4.1** It is proposed that future knowledge tests take the form of a multiple choice written test, testing the applicant in five separate areas of knowledge, namely,

1. Public Buildings, Landmarks & Places of Interest
2. Street Names & Street Locations
3. Routes
4. Knowledge of The Highway Code
5. Knowledge of Guidance Notes.

It should be noted that 'Knowledge of the Highway Code' and 'Knowledge of Applicant Guidance Notes' are not currently included in WDC's knowledge test. Knowledge of Guidance Notes will ensure that drivers understand the legal framework which regulates their trade with particular reference to the Civic Government (Scotland) Act 1982, Smoking, Health and Social Care (Scotland) Act 2005 and the Road Traffic (Vehicle Emissions Scotland) Regulations 2003.

**4.2** It should be noted that the Dumbarton & Vale of Leven Taxi zone covers a much larger geographical area than the Clydebank Taxi zone. Every effort has been made to ensure the tests are proportionate in content to the geographical area, and as a result, the Dumbarton & Vale of Leven test will be greater in content than the Clydebank test.

**4.3** A 'bank' of questions for each local taxi zone will be compiled by staff in the West Dunbartonshire Council Licensing Team, which should go some way to reducing the opportunity for collusion between candidates.

**4.4** At present, WDC do not charge a fee for candidates who wish to sit the taxi knowledge test. Research has established that some neighbouring authorities do charge a fee, payable by candidates who wish to sit the test

**4.5** A review of the fees which are charged for Taxi Licensing is planned for this financial year therefore we do not propose to implement a specific knowledge test fee at present however we will consider the costs involved in arranging these written tests as part of the overall review of fees.

**4.6** Each question in the knowledge test will have four possible answers only one of which being correct. It is suggested that an overall pass mark of 75% would be set for all candidates and a reasonable time limit will be set for completion of the test based on the zone. Successful completion of the test would be valid for 12 months from the date of the test.

**4.7** The Civic Government Licensing section of WDC's internet site will be used to post guidance notes for applicants and sample questions from the test,

allowing prospective candidates to familiarise themselves with the knowledge test format and the application process.

- 4.8** Furthermore it is proposed that each person who is granted a taxi driver/private hire car driver's licence for the first time will be required to attend a short session delivered by the Licensing Enforcement Officer explaining the conditions and expectations West Dunbartonshire Council has of their licence holders. This can also be extended to licensed taxi/private hire car driver's who have been subject to either a complaint or have been required to attend the Licensing Committee.
- 4.9** The introduction of compulsory advice sessions will ensure that successful applicants and specific licence holders will be better prepared and fully aware of their responsibilities as a licensed taxi/private hire car driver.
- 4.10** A specimen sample of the proposed question format for both taxi zones is attached to this report.

## **5. People Implications**

- 5.1** There are no personnel issues.

## **6. Financial Implications**

- 6.1** There will be a small increase in income generated by the introduction of a fee for the knowledge test.

## **7. Risk Analysis**

- 7.1** There is no increased risk to the Council associated with the contents of this report.

## **8. Equalities, Health & Humans Rights Impact Assessment**

- 8.1** An equality impact assessment confirmed that a written knowledge test has the potential to impact on the protected characteristics of race and disability. Accordingly the testing procedure has been amended as follows:

1. The test will be multiple choice so that drivers do not have to write answers; they will merely have to tick their chosen answer. This will make it easier for those who can read English but may have difficulty writing English. It will also make it easier for us to administer any test that still has to be carried out verbally (see 4. below).

2. On request, we will translate the test paper into another language.

3. On request, we will provide the written test in a larger font size.

4. Although not directly related to any of the protected characteristics, on request we will administer the test verbally if the applicant is unable to read.

**9. Consultation**

**9.1** No consultation was carried out in relation to the contents of the report.

**10. Strategic Assessment**

**10.1** There are no strategic implications.

Head of Legal, Democratic and Regulatory Services

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**Appendices:** Sample

**Background Papers:** N/A

**Wards Affected:** N/A.