

WEST DUNBARTONSHIRE COUNCIL

Report by Chief Officer - Regulatory and Regeneration

Licensing Committee – 17 April 2024

**Subject: Civic Government (Scotland) Act 1982
Review of Knowledge Test requirement**

1. Purpose

- 1.1** To advise Members of the outcome of the consultation relating to whether the Knowledge Test for Taxi and Private Hire Car Drivers continues to be necessary.

2. Recommendations

- 2.1** It is recommended that the Committee:-
- a) notes the outcome of the consultation; and
 - b) retains the requirement for the Knowledge Test.

3. Background

- 3.1** The Council regulates the licensing of Taxi and Private Hire Cars under the Civic Government (Scotland) Act 1982 (“the Act”). In particular, section 13(5) of the Act provides that a licensing authority may require an applicant for a Taxi or Private Hire Car Driver’s Licence to take a test of his or her knowledge of the area to which the licence is to relate, of the roads in that area and such other matters relating to the operating of a taxi or private hire car as the authority considers desirable. Prospective applicants must pass the Knowledge Test prior to applying for a Taxi or Private Hire Car Driver’s Licence. Members will be aware that the Council requires potential applicants for a Taxi and Private Hire Car Driver’s Licence to pass such a test (“the Knowledge Test”).
- 3.2** At a meeting on 2 August 2023, Members considered a Report noting that elements of the Taxi and Private Hire Car trade had made deputations to the Licensing Team to the effect that with the prevalence of smart phones with sat nav technology, the Knowledge Test was no longer necessary.
- 3.2** Members instructed the Licensing Team to consult on whether the Knowledge Test continued to be necessary.

4. Main Issues

- 4.1** A public consultation via an online survey took place between 29 January 2024 and 1 March 2024. 273 responses were received with Table 1 giving details of

who responded.

	Number of responses	Percentage
Taxi and Private Hire Car Driver Licence holder	99	36%
Taxi or Private Hire Car Licence holder	95	35%
Member of the public	68	25%
Potential applicant for a Taxi or Private Hire Car Driver Licence	6	2%
Other	5	2%

Table 1

- 4.3** The response to the question *"To what extent do you agree or disagree that the requirement to sit and pass the Knowledge Test before applying for a Taxi and Private Hire Car Driver's Licence continues to be relevant?"* are set out at Table 2. Of those respondents, 64% of Taxi or Private Hire Car Drivers, 65% Taxi or Private Hire Car Licence holders, and 81% of members of the public either strongly agreed or agreed that the Knowledge Test continued to be relevant.

Response	Number of responses	Percentage
Strongly disagree	52	19%
Disagree	19	7%
Neutral	18	7%
Agree	35	13%
Strongly agree	149	55%

Table 2

- 4.4** Respondents provided a range of reasons for their responses to the question at paragraph 4.3. Those in favour of retaining the Knowledge Test submitted that Taxi and Private Hire Car Drivers should have a knowledge of the area in which they work and that sat nav devices are not always accurate. Those respondents who supported the elimination of the Knowledge Test pointed to the widespread use of sat nav devices and that such devices identify the quickest route. A list of reasons for the response are enclosed at Appendix 1.
- 4.5** The responses to the question *"To what extent do you agree or disagree that the use of satellite navigation (sat nav) by Taxi and Private Hire Car Drivers has replaced the need for the Knowledge Test for potential Taxi or Private Hire Car Driver Licence applicants?"* are set out at Table 3. 28% of members of the public, 35% of Taxi and Private Hire Car Operators, and 28% of Taxi and Private Hire Car Drivers who responded to the consultation strongly agreed or agreed with the aforementioned statement. Whereas 56% of Taxi and Private Hire Car Drivers, 56% of Taxi and Private Hire Car Operators, and 63% of members of the public responded disagreeing that sat nav had replaced the need for the knowledge test.

Response	Number of responses	Percentage
Strongly disagree	116	42%
Disagree	39	14%
Neutral	27	10%
Agree	27	10%
Strongly agree	59	22%

Table 3

- 4.6** When responding to the question narrated at paragraph 4.5, respondents highlighted various reasons for their views. Those who responded disagreeing that sat nav devices had replaced the need for the Knowledge Test highlighted that sat nav is not always reliable, for example, if there was a diversion or accident, sat nav might not be able to assist. Sat nav does not necessarily show the “cheapest” route (that will depend on time of day), and the need to stop the Taxi or Private Hire Car to program the sat nav if the passenger changes destination may incur an additional cost as the driver will need to pull to the side of the road. Those who submitted that sat nav replaced the Knowledge Test pointed to the accuracy of sat nav given that it can be frequently updated with new road layouts and housing estates, the use of sat nav being incorporated into the DVLA driving test and the ease of identifying a particular house when conveying a passenger. There was conflicting responses as to the accuracy of sat nav with some respondents arguing that sat nav, by virtue of being updated, was more accurate whereas other respondents felt that a local knowledge was necessary in case of issues with the sat nav identifying new areas. Details of responses are listed at Appendix 2.

- 4.7** The responses to the question *“To what extent does the requirement to sit and pass the Knowledge Test discourage or prevent you from being able to apply for a Licence?”* are set out at Table 4. Members will note that only a small number of responses were received.

Response	Number of responses
A lot	3
Not at all	2
Somewhat	1

Table 4

- 4.8** One response was received by email from Kenny McSheaffrey, Secretary, Clydebank Taxi Operators Group. The response while primarily focused on fees, submitted that *“Making it easier to obtain a taxi badge in the WDC Licensing zones will certainly generate revenue for WDC but will do nothing to guarantee public safety and provide a good local customer service, that the current knowledge test promotes.”*
- 4.9** Police Scotland indicated that their position on the Knowledge Test is neutral recognising the prevalence of sat nav like devices. Police Scotland did note that they would support any testing of matters such as the Highway Code or

customer safety.

- 4.10** The Civic Government (Scotland) Act 1982 adopts a neutral position in relation to the requirement for applicants to pass a Knowledge Test; it is a matter for the licensing authority to determine. The Scottish Government's Taxi and private hire car licensing: guidance - third edition at paragraph 8.37 narrates "*Taxi and private hire car drivers should have a good working knowledge of the area for which they are licensed.*" The Knowledge Test is a mechanism to test this knowledge.
- 4.11** As set out at paragraphs 4.3 to 4.6, the response from both the Taxi trade and the public is generally supportive of the retention of the Knowledge Test. While a number of comments are premised on a misunderstanding of the technology or fail to recognise the limitations of the Knowledge Test, there is widespread concern that reliance on sat nav will result in drivers taking routes that are not the most efficient from a price point of view. The Knowledge Test in its current format tests potential drivers on Public Buildings and Local Landmarks, Street Names, Routes, Highway Code and West Dunbartonshire Council local Licence conditions.
- 4.12** With reference to the Local Government Benchmarking Framework grouping, i.e. by the type of area they serve, details as to whether licensing authorities utilise a Knowledge Test or similar for applicants for a Taxi Driver Licence are noted at Table 5.

Authority name	Knowledge Test requirement?
North Lanarkshire	No
Falkirk	Yes
East Dunbartonshire	No
Aberdeen	Yes
City of Edinburgh	Yes
Dundee	No
Glasgow	Yes

Table 5

- 4.13** For completeness, some neighbouring authorities are not included in the above table and their position in regards to the requirement for a Knowledge Test or similar is narrated at Table 6.

Authority name	Knowledge Test requirement?
Inverclyde	No
Renfrewshire	No
Stirling	No
Argyll and Bute	No

Table 6

5. People Implications

- 5.1** The elimination of the Knowledge Test would reduce the workload of the

Licensing Assistants. The work involved in the Knowledge Test is limited.

6. Financial Implications

- 6.1** There are no financial implications for the Council arising from this report.

7. Risk Analysis

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

8. Equalities Impact Assessment (EIA)

- 8.1** EIA 994: The Council is permitted by the 1982 Act to test potential applicants for Taxi and Private Hire Car Driver Licences of their local knowledge. Such a test may be a barrier to some groups however these barriers can be overcome by reasonable adjustments in the sitting of the test.

9. Consultation

- 9.1** A public consultation (see paragraph four) was carried out between 29 January and 1 March 2024.
- 9.2** The public consultation was highlighted to various community groups through the Council's Community Service and the Equality and Diversity Forum.
- 9.3** Officers of the Licensing Section circulated the consultation to existing Taxi/Private Hire Car Drivers and Operators.

10. Strategic Assessment

- 10.1** In terms of the Council's Strategic Priorities, the purpose of licensing is to ensure our Communities are Resilient and Thriving.

Chief Officer – Regulatory and Regeneration

Date 17 March 2024

Person to Contact: Michael McDougall
Manager of Legal Services
Legal Services
Municipal Buildings
College Street
Dumbarton
G82 1NR

michael.mcdougall@west-dunbarton.gov.uk

Appendices:

1. Narration of responses to the questions contained within the consultation further to paragraph 4.4
2. Narration of responses to the questions contained within the consultation further to paragraph 4.6

Background Papers:

1. Licensing Committee Report dated 2 August 2023
2. Scottish Government Guidance in relation to Taxi and Private Hire Car Licensing (3rd Edition)