

WEST DUNBARTONSHIRE COUNCIL**Report by Chief Officer – Regulatory & Regeneration****Licensing Committee – 2 August 2023**

Subject: Review of requirement for knowledge test

1 Purpose

- 1.1** Submit report by the Chief Officer - Regulatory and Regeneration to allow Members to consider whether to review the knowledge test requirement for applicants for a Taxi Driver and Private Hire Car Driver Licence.

2 Recommendations

- 2.1** It is recommended that Members:-

(a) note the terms of this report; and

(b) instruct the Council's Licensing Section to carry out a review, by way of a public consultation, of the requirement for a knowledge test for Taxi and Private Hire Car Driver licence applicants.

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 describable. Where a licensing authority is not satisfied that the applicant has adequate knowledge it may refuse the licence.

- 3.2** The ability to require this type of test in terms of applicants for a Taxi Driver Licence has been in place since the Act was commenced. The ability to require this type of test in terms of applicants for a Private Hire Car Licence was introduced by the Air Weapons and Licensing (Scotland) Act 2015 amending the Act as of 1 November 2016.

- 3.3** In West Dunbartonshire it is historic practice to issue a joint Taxi and Private Hire Car Driver Licence. This Licence allows holders to drive either a Taxi or a Private Hire Car. Therefore, all applicants who wish to apply for this Licence are required to sit and pass a knowledge test prior to applying.

3.4 Members will be aware that the West Dunbartonshire Council area consists of two zones for the purposes of taxi licensing: (1) Clydebank; and (2) Dumbarton and Vale of Leven. Applicants for a Taxi and Private Hire Car Licence must apply for one of these two zones. Applicants will sit the knowledge test for that area with questions relating to that zone.

3.5 The knowledge test comprises of five parts with the candidate being tested on: (1) the location of public buildings and local landmarks; (2) where particular streets are found; (3) the shortest practicable route to take between specified places; (4) their knowledge and understanding of the highway code; and (5) other questions relating to the operation of a Taxi or Private Hire Car. Candidates are required to answer at least 75% of the questions to pass.

4 Main issues

4.1 The Licensing Section has received submissions from the taxi and private hire car trade requesting that the Licensing Authority consider removing the requirement for applicants to sit and pass the knowledge test. The taxi trade suggest that the knowledge test is no longer relevant given the widespread availability and use of sat nav devices and mobile phones with sat nav like apps. This means that drivers do not need to have a strong grasp of the local topography and instead can rely on electronic devices for navigating the area. The taxi trade has advised the Licensing Section that there is an ongoing shortage of drivers and suggests that the requirement to sit and pass the knowledge puts off potential applicants for Licences. Accordingly, dispensing with the requirement for the knowledge test, will in the trade's opinion, encourage applications for Taxi and Private Hire Car Driver Licences.

4.2 The Taxi and Private Hire Car Licensing - Best Practice for Licensing Authorities and Taxi and Private Hire Car Operators (3rd Edition) is neutral on the matter of knowledge tests narrating:-

"8.37 Taxi and private hire car drivers should have a good working knowledge of the area for which they are licensed. Many licensing authorities require prospective taxi and private hire car drivers to pass a test of local topographical knowledge as a condition of first grant of a licence.

8.38 If a licensing authority does require prospective taxi and private hire car drivers to take such a test, the stringency of the test should reflect the complexity or otherwise of the local geography, on the principle of ensuring that barriers to entry are not unnecessarily high."

4.3 Members may wish to note that the requirement for applicants to successfully pass the knowledge test was waived during the Covid-19 pandemic. To date the Licensing Section has received no complaints in

relation to drivers not conveying hires to their destination in a suitable manner.

- 4.4** The knowledge test is an optional requirement of the Act and the Licensing Authority can dispense with this requirement. It is suggested that the Licensing Committee instruct the Section Head of Licensing to consult on the possibility of dispensing with the requirement for applicants for a Taxi and Private Hire Car Driver Licence to sit and pass the knowledge test. The consultation results will be analysed by officers prior to being considered by the Licensing Committee before considering next steps.

5 Options Appraisal

- 5.1** No options appraisal was required for this report.

6 People Implications

- 6.1** There are no personnel issues at this stage.

7 Financial and Procurement implications

- 7.1** There are no financial or procurement implications at this stage.

8 Equalities Impact Assessment (EIA)

- 8.1** If the Licensing Committee instructs a review of the knowledge test requirement then a public consultation should be carried out to identify the impact on protected groups.

9 Consultation

- 9.1** The proposal to dispense with the requirement for a knowledge test will be subject of a public consultation. The outcome of this consultation will be reported by the Licensing Committee so to inform the Committee's decision.

10 Strategic Assessment

- 10.1** Licensing plays a key role to make sure our communities are resilient and thriving.

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6 July 2023

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Appendices: None

Background papers: None

Wards affected: All