

Report of	Meeting	Date
Director of Planning and Development	Licensing and Public Safety Committee	Tuesday, 8 March 2022

Consultation Feedback - Single Use/ Restricted Private Hire Badges

Is this report confidential?	No
Is this decision key?	No

Purpose of the Report

1. The purpose of the report is to provide feedback on the consultation carried out in response to the intended policy amendments, with regards the recent request from SRBC licensed operators for a single use/ restricted private hire licence to be available from this licensing authority.

Recommendations

1. Note the content of the report
2. Consider the consultation responses.
3. If members are minded accepting the proposal with regards to either single use private hire badges or changes to the current knowledge test, within the 3 options proposed and consulted on, then forward this report to the next meeting of the Council with a recommendation for formal adoption of the proposed policies.

Other options considered and rejected

2. All possible options are proposed within the report, Members also have the option not to change anything and keep the policy in its current state with regards to the local area knowledge test for new applicants.

Corporate priorities

3. The report relates to the following corporate priorities:

An exemplary council	Thriving communities
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Background to the report

4. A detailed report presented to members of the Licensing and public safety committee on 07/12/2021, advising a request was submitted in writing from SRBC licensed operators for a single use/ restricted private hire licence to be available from this licensing authority.
5. Officers advised the committee that for some time requests have been received by a number of operators for the possibility to have various aspects of the application process removed - mainly regarding the local area knowledge test. These request have been received from operators who only perform airport and corporate travel, and operators who perform school contract work, who's drivers are performing work which is outside the borough or doesn't have the need for any local knowledge of the area.
6. These types of driver are normally employed by operators part-time, often retired and only perform one or two journeys per day, that could be taking a specific child to and from school or taking a booking to Manchester airport.
7. Applicants are applying at neighbouring authorities where they find it easier to obtain badges, only to return to work in this area for operators with licences issued by South Ribble and other authorities, with the work passed to them through the second operator licence.
8. Operators are asking for members to consider removing the requirement for these types of drivers needing to pass a local area knowledge test as a requirement when first licenced for these type of drivers.
9. At the meeting of 07/12/2021, a representative from 24/7 Ltd addressed the committee and explained that they had been struggling to employ drivers since they started in Lancashire in March 2020 due to the local area knowledge tests in place.
10. The representative explained that the business was based within South Ribble and they would like to keep the business within the borough. It was provided that a lot of the school work was contracted through Lancashire County Council (LCC) and drivers were mainly collecting children to take them out of the borough to their school.
11. A second operator addressed the committee. He advised that his business had operated for 17 years and only undertook airport transfers.
12. They had been advertising for drivers since July and had not been able to employ a single driver due to the requirements in place for obtaining a PVH licence.
13. The operator explained that drivers had to undertake numerous tests in order to be granted yet many other trades did not. The operator went on to explain that if nothing changed his business would be forced to cease trading.

14. A high percentage of driver fail the test on the first occasion and often it takes driver 3 or 4 attempts to pass the test.

Current Policy Wording

15. The current policy regarding new applicants' requirement to pass a local area knowledge test states;

5.8 Local Area Knowledge Test

The Council acknowledges that it is important to the travelling public that the drivers it licences have a good knowledge of the Borough and its boundaries, the Highway Code and the ability to comprehend and communicate effectively in English. All applicants for a new driver's licence for both types of licence will be required to pass either the hackney carriage or private hire knowledge test before they can be granted a licence. Where an applicant wishes to apply for both types of licence, they will only be required to pass the hackney carriage knowledge test.

Drivers who have been previously licensed by this Council who have allowed their licence to lapse for whatever reason will be required to pass the appropriate knowledge test before they can be granted a licence, even if they have passed a local knowledge test previously unless:

- They can demonstrate that they have held a licence for a continuous period of five years or more immediately prior to the expiry of their licence, and*
- The application for a new licence is submitted within three months of the expiry of the previous licence.*

16. Officers advised of the options for members to consider;

17. **Option 1 - To issue restricted single use Private Hire badges with the following condition attached;**

Restricted Private Hire Licence

The driver is restricted to only perform the following work

- 1. Prearranged school or special educational needs transport*
- 2. Prearranged airport work*
- 3. Prearranged executive corporate travel.*

The licence holder may only conduct regular pre-booked operator work other than the listed criteria above when they have completed a local area knowledge test, at which point the licences authority will lift the restriction on their licence.

18. The proposed policy wording for this option can be found within section 33 of the report from the meeting on 07/12/2021 attached to this report as background document 1.

19. **Option 2 - Remove the knowledge test**

20. The knowledge test could be scrapped completely for all applicants. (hackney test still required for Hackney Applicants).

21. Due to the use of developing technology within private hire operations, drivers now have PDA's within their vehicles that pre booked jobs are sent to drivers through.
22. The use of radios has been superseded by technology and the drivers are no longer given jobs over the radio, but now digitally through their PDA system.
23. As the journey is pre booked the system pre programmes this into the Sat Nav within the PDA's through the operator systems used automatically. Operators use these systems to track their drivers, this is often demonstrated to officers upon operator visits.
24. Private Hire drivers do not collect customers from the street, they cannot ply for hire.
25. The need for drivers to have a local knowledge has been negated by the use of technology within the vehicles.
26. Currently as a requirement of the policy all new applicants must provide proof, they have a level 2 qualification or equivalent. A basic English and Maths knowledge is required to be able to pass the course and obtain the qualification.
27. If any operators are not using PDA systems then a simple satellite navigation system would again, negating the need for drivers to have a local knowledge of the best route from "place A to place B" as this would be provided by the satellite navigation system.
28. **Option 3 - just remove the local area knowledge element of the test and replace the current wording with the following proposed policy wording;**

5.8 Driver Competency Test

The Council acknowledges that it is important to the travelling public that the drivers it licences;

- Have a basic understanding of the English language
- Have a basic Knowledge of numeracy
- Able to use a Satellite navigation system

All applicants will be required to pass the competency test before a licence will be granted.

Where an applicant wishes to apply for Hackney Carriage Licence an additional "Hackney Carriage Test", will be required before a licence can be granted.

Drivers who have been previously licensed by this Council who have allowed their licence to lapse for whatever reason will be required to pass the appropriate knowledge test before they can be granted a licence, even if they have passed a local knowledge test previously unless:

- *They can demonstrate that they have held a licence for a continuous period of five years or more immediately prior to the expiry of their licence, and*
- *The application for a new licence is submitted within three months of the expiry of the previous licence.*

29. Keep the test in place but remove the local aspect of the test completely, keeping a section of the test as a “competency Test” for basic English, Numeracy and a test for using a satellite navigation system. Taking into account the above sections 21- 25 of this report.
30. An argument to this option is that driver will also need to pass a driver qualification and the maths and English element is required within this test, so they have already displayed basic English and maths knowledge by obtaining the qualification.

At the meeting on 07/12/2021

31. Members accepted that there was a national shortage of drivers and discussed the use of technology, how this could assist drivers and the drawbacks should the technology fail.
32. Members considered the three options within the report and agreed to start consultation for all with signage for restricted use licences being included.
33. Committee agree that the licensing section undertake a consultation exercise with stakeholders, on the proposed changes to the Taxi Licensing Policy and agree to receive a report on the outcome of the consultation exercise at a future meeting.

Consultation Responses

34. Letters were sent to all drivers and operators.
35. Paper consultation forms were provided to every licenced driver, vehicle proprietor and licenced operator.
36. The summarised consultation responses are as follows,

Option 1	Option 2	Option 3	Answered NO to all offered options
Remove the knowledge test completely for single use/restricted private hire licences, Would only be offered to applicants that perform school contract work, that requires a regular collection of one child with specific requirements, to be taken to the same school every day, or are performing specific airport contract work or corporate contract work that takes passengers from their home out of the borough	Remove the knowledge test for all private hire drivers. The knowledge test could be scrapped completely for all applicants.	just remove the local area knowledge element of the test Keep the Knowledge Test in place but remove the local aspect of the test completely for PH drivers, keeping a section of the test for highway code, English and math skills	

usually to Manchester or Liverpool Airport.			
42	3	3	10

37. From the results above the trade as a whole have supported option 1 as a consultation response.
38. But, 39 responses have been received from Drivers who exclusively work for an operator who only perform private hire work.
39. 10 consultee responses didn't not agree with any changes to the policy regarding the knowledge test for private Hire drivers, these responses were all received from Hackney Carriage drivers.

Taxi Trade Forum 12/01/2022

40. Following the meeting of the committee on 07/12/2021, a taxi trade forum was held to advise the trade regarding the consultation.
41. A representative of the hackney trade raised concern that a single use licence for private hire drivers could be abused with drivers undertaking PVH work in the local area. The representative gave their concerns, on how the licensing authority would be able to enforce if the restricted driver was performing normal private hire jobs and how would they be able to check this.
42. Officers explained that there would be a condition attached to the licence restricting the type of work a driver could undertake. If a driver was found to be in breach of the conditions they would be taken before a General Licensing Sub-Committee for enforcement action.
43. Officers explained that if the restricted licence was granted then the only work the licence holder would be permitted to perform would be school contract work, book airport contract work, and corporate business work.
44. This would not include train stations, ferry ports or local pickups as the trade also questioned at the forum.

Proposal

45. Officers feel the best option, would be option 3, adopting policy wording found within section 28 of this report to the taxi licensing policy.
46. Keeping the test in place but removing the local aspect of the test completely, keeping a section of the test as a "competency Test" for basic English, Numeracy and a test for using a satellite navigation system. Taking into account the options proposed within sections 16 -30 of the report.
47. Officers believe technology has changed since the knowledge test was first implemented, which whilst drivers do need to still be able to communicate with their passengers, may need read a map, be able to hold a basic numeracy knowledge to be able to take payments, use taxi meters etc, the local aspect is now covered by navigation hardware within the vehicles.

48. Officers feel the test is restrictive and in its current form unnecessary, officers report that new drivers are turning down applying for badges with this authority as they can't obtain a licence due to the knowledge test being too restrictive.
49. Applicants are taking the test multiple times before giving up. Officers have found that this is having a knock-on effect of the number of drivers applying for licences with this authority, Operators also report, they are struggling to obtain new drivers.
50. Currently South Ribble have 4 licenced operators, who also hold operator licences with other authorities. Applicants are applying at neighbouring authorities where they find it easier to obtain badges, only to return to work in this area for these operators with licences issued by other authorities.
51. This is extremely counterproductive as this restricts the amount of enforcement power our drivers have over these drivers. Our officers have very little to no enforcement powers over these vehicles operating in our area.

Hackney Carriage Driver Applicants

52. The additional Hackney Test would remain in place and would not be changed, this test requires applicants to answer additional questions, relating to the additional knowledge required to be a hackney driver.
53. But hackney applicants would also benefit from the knowledge test changing, as they are also required to pass the knowledge test alongside the hackney Knowledge Test.

Next Step

54. Members are now asked to make a decision to either accept one of the 3 options proposed to them within the report or reject any changes within the taxi licensing policy with regards to the knowledge test for new drivers .
55. If members are minded accepting one of the proposed 3 options within the report, then forward this report to the next meeting of the Council with a recommendation for formal adoption of the proposed policy option as member decide on.

Climate change and air quality

56. The work noted in this report does not impact the climate change and sustainability targets of the Councils Green Agenda and all environmental considerations are in place.

Equality and diversity

57. Any equality implications have been addressed within the report.

Risk

58. As addressed within the report.

Comments of the Statutory Finance Officer

59. There are no significant financial implications at this stage.

Comments of the Monitoring Officer

60. The Council must grant private hire driver licences only to those applicants it considers to be fit and proper. There is no statutory definition of “fit and proper”. Applicants must have a basic level of English and numeracy to be able to deal with customers. The onset of technology has evolved and led to changes in respect of the use of Satellite Navigation Systems- it would be essential for the driver to use these systems.

Background documents

Background Document 1 – Report 07/12/2021 - [Single Use Restricted Private Hire Licences.pdf \(modern.gov.co.uk\)](#)

Appendices

Appendix 1 - Request from Licence Operator for restricted use badges.- [Appendix 1 - Request for Conditional Restricted licences from 247.pdf \(modern.gov.co.uk\)](#)

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