

# LICENSING REGULATORY COMMITTEE

## Training for Hackney Carriage and Private Hire Drivers 13 February 2014

### Report of Licensing Manager

#### PURPOSE OF REPORT

The report is to seek Members' approval of proposals to introduce the Driving Standards Agency Private Hire and Hackney Carriage assessment for all new applicants for hackney carriage and private hire drivers' licences and to consider whether it is appropriate to phase in the test for existing drivers.

**This report is public.**

#### RECOMMENDATIONS

Members are recommended:

1. To approve that a new condition be attached to applications for the grant of hackney carriage and private hire drivers' licences requiring applicants to pass the Driving Standards Agency Private Hire and Hackney Carriage standard assessment, and to pass the enhanced/upgrade assessment prior to driving a wheelchair accessible vehicle
2. That the above conditions be imposed in respect of all new applications for the grant of hackney carriage and private hire drivers' licences made as from 1 March 2014 and that the requirement to have held an ordinary DVLA driving licence for a period of three years be deleted on the same date.
3. That Members consider whether it would be appropriate to introduce the upgrade assessment for all existing drivers who drive a wheelchair accessible vehicle with a specified time period being allowed to pass the test.

#### 1.0 Report

- 1.1 At previous meetings of the Taxi Task Group members have considered the introduction of the Driving Standards Agency test for hackney carriage and private hire drivers. This was due to some concern about the standard of driving of some drivers licensed by the Council
- 1.2 The Driving Standards Agency (DSA) is committed to improving driving standards through testing and assessment activities. The DSA is charged with setting driving standards and delivering consistently high quality driving tests to help ensure safe driving.

- 1.3 As professional drivers, hackney carriage and private hire drivers have a special responsibility to ensure that their passengers have a safe, comfortable and enjoyable journey.
- 1.4 The DSA carries out 3 types of assessment:
- The standard driving assessment
  - The enhanced assessment – this includes a wheelchair assessment
  - The upgrade assessment if a person has done the standard assessment and then is required to do the wheelchair exercise
- 1.5 The assessment lasts about 40 minutes and includes an eyesight test as well as a practical assessment. The practical assessment will include:
- A manoeuvre where the driver will be asked to turn the vehicle to face the opposite direction
  - Around 10 minutes of driving without being given turn-by-turn directions by the instructor
  - Stops at the side of the road as if a passenger is getting out
  - Related questions, e.g. what to do if a passenger leaves property in the vehicle
  - Questions from the Highway Code identifying traffic signs and road markings

The driver may also be asked to do an emergency stop.

- 1.6 Whilst doing the wheelchair exercise a driver would need to show his/her ability to:
- Safely load the wheelchair in the vehicle
  - Use the wheelchair brakes to secure and release it
  - Fasten the seat belts or safety harness
  - Secure any wheel belts or clamps fitted to the vehicle
- 1.7 Members will recall that at the last Proprietors' Forum some concerns were raised about the lack of training in relation to wheelchair accessible vehicles. It has also been reported anecdotally that some drivers refuse wheelchair work and use the excuse that they have not done any training
- 1.8 One practical problem which would arise in relation to the wheelchair part of the assessment would be that the driver is required to carry out the assessment in a wheelchair accessible vehicle, and that only the holder of a driver's licence may drive a licensed vehicle. With this in mind officers would recommend that if members are minded to approve the introduction of the DSA test, the wheelchair part of the assessment should be introduced as an enhancement only when someone is going to drive a wheelchair accessible vehicle. Officers would recommend that this part of the assessment should be mandatory before anyone can drive a wheelchair accessible vehicle.
- 1.9 For Members' information, the definition of wheelchair accessible as contained with the Rule, Regulations and Procedures for Hackney Carriage and Private Hire Licensing approved by this Committee is as follows:- "a vehicle purpose built by the manufacturer or adapted prior to registration in a

manner approved by the manufacturer, for the conveyance of wheelchair bound passengers

- 1.10 The Department for Transport in their published Best Practice Guidance in relation to hackney carriage and private hire licensing say of the DSA test:

“Many local authorities rely on the standard car driving licence as evidence of driving proficiency. Others require some further driving test to be taken. Local authorities will want to consider carefully whether this produces benefits which are commensurate with the costs involved for would-be drivers, the costs being in terms of both money and broader obstacles to entry to the trade. However, they will note that the Driving Standards Agency provides a driving assessment specifically designed for taxis.

- 1.11 The current cost of the test is set out in the table below;

<b>Test type</b>	<b>Weekday</b>	<b>Evening, weekend and Bank Holiday</b>
Hackney saloon vehicles and private hire saloon vehicles standard assessment	£79.66	£96.00
Hackney wheelchair accessible vehicles enhanced assessment	£92.94	£112.34
Taxi wheelchair exercise upgrade assessment	£26.56	£32.68

- 1.12 Other local authorities were asked the following questions

1. Do you require applicants for hackney carriage or private hire driver's licences to pass the DSA test?
2. If you do have the DSA test did you also make it mandatory for existing drivers?

- 1.13 15 Authorities responded, of which 10 have introduced the DSA test for new drivers. All of those that responded except one said that existing drivers had been given grandfather rights and had not had to take the test. However, 7 of them said that if any existing drivers were reported to the Regulatory Committee for driving issues the requirement to pass the DSA test had been used as an option. A table of responses is attached at appendix 1 to this report.

## **2.0 Options**

### **2.1 Option 1**

Do nothing. This would not alleviate any of the concerns in relation to the standard of driving of some licensed drivers. The Council has a duty to protect the public and to ensure that standards are maintained or improved.

## 2.2 **Option 2**

Introduce the whole of the DSA test including the wheelchair accessible part for all new applicants for a hackney carriage or private hire drivers' licence. This would have the potential to raise standards and improve public safety. However, there are practical issues in relation to the provision of wheelchair accessible vehicles for such assessments as set out in the report

## 2.3 **Option 3**

Introduce the whole of the test for all new and existing drivers to be phased in over a nominated period for existing drivers. This would have similar implications to option 2 however existing drivers would not maintain grandfather rights. The existing trade have not been consulted at this time.

## 2.4 **Option 4**

Introduce the basic test for all new and existing drivers. This would help to raise the standards of drivers licensed by this Council; however this would mean that existing drivers would not maintain grandfather rights. The existing trade have not been consulted at this time.

## 2.5 **Option 5**

Introduce just the basic test for all new applicants for a hackney carriage or private hire driver's licence. Maintain the option to require existing drivers to complete the assessment following any reports or complaints of driving issues. Make it mandatory for anyone who will be driving a wheelchair accessible vehicle to pass the Taxi wheelchair exercise including existing drivers. This would raise the standards of driving in the district and also ensure that anyone who drives a wheelchair accessible vehicle has completed the necessary training. This would also ensure that operators and proprietors can be assured that anyone driving a wheelchair accessible vehicle has undergone the appropriate training and is therefore available to carry out the wheelchair work as and when required to do so.

## 3.0 **Conclusion**

Members are asked to approve the introduction of the DSA test. Officers' preferred option would be option 5 however it is open to members to choose any of the 5 options as set out in report with or without amendment. If approved officers would recommend that the changes have effect from 1 March 2014 in relation to new applicants and that existing drivers who drive a wheelchair accessible vehicle should be given a period of 6 months until 31 August 2014 to pass the upgrade assessment

### **CONCLUSION OF IMPACT ASSESSMENT**

**(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)**

None applicable to this report.

### **FINANCIAL IMPLICATIONS**

There are no financial implications as a result of this report.

**LEGAL IMPLICATIONS**

Legal Services have been consulted and have no further comment.

**BACKGROUND PAPERS**

None

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