

# LICENSING REGULATORY COMMITTEE

## Training for Hackney Carriage and Private Hire Drivers 13th October 2016

### Report of Licensing Manager

#### PURPOSE OF REPORT

The report has been prepared to inform Members of the Driver and Vehicle Standards Agency decision to discontinue the delivery the Driving Standards Agency Private Hire and Hackney Carriage assessment and in particular the enhanced wheelchair part of the test.

**This report is public.**

#### RECOMMENDATIONS

Members are recommended:

1. To approve an amendment to the condition which is attached to applications for the grant of hackney carriage and private hire drivers' licences requiring applicants to pass the Driver and Vehicle Standards Agency Private Hire and Hackney Carriage standard assessment and instead to require the assessment to be passed which is offered by another suitable company to be approved by the licensing manager.
2. To consider whether it would be appropriate to waive the requirement to pass the enhanced/upgrade assessment for all existing drivers who drive a mandatory wheelchair accessible vehicle until such time as a suitable alternative can be found.

#### 1.0 Report

- 1.1 Members may recall that in February 2014 members approved the introduction of the Driver and Vehicle Standards Agency test for hackney carriage and private hire drivers. This was to ensure consistent standards of drivers licensed by the Council.
- 1.2 The Driver and Vehicle Standards Agency (DVSA) test aim was introduced to improve driving standards through testing and assessment activities.
- 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 DVSA carried 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 lasted about 40 minutes and included an eyesight test as well as a practical assessment. The practical assessment included:

- A manoeuvre where the driver would 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 the decision to introduce the enhanced part of the test was as a result of the fact that concerns were raised at a taxi forum about the need for training in relation to wheelchair accessible vehicles. It had also been reported anecdotally that some drivers refuse wheelchair work because they have not done any training.

1.8 The condition was introduced from 1<sup>st</sup> March 2014 that all new drivers pass the basic DVSA and for anyone who would be driving a mandatory wheelchair accessible vehicle to also pass the enhanced part of the test.

1.9 For members' information the definition of wheelchair accessible, as contained with the Rules, 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 In August 2016, the DVSA sent out letters to all local authorities informing them that due to the high take up of the tests they could no longer facilitate them and would not provide the test after December 2016. Unfortunately, they stopped taking bookings for the test with immediate effect. A copy of the letter is attached at Appendix 1 to this report.

- 1.12 This caused problems to many local authorities who have all adopted the test as a basic standard before issuing a licence. Many licensing authorities have lobbied the Local Government Authority, who are now in talks with the DFT about this issue.
- 1.13 Information was received from various organisations, who said that they could offer the basic test. However, none have indicated that they can do the wheelchair part of the assessments. Details of one of the tests provided are attached at Appendix 2 to this report.
- 1.14 To ensure continuity, in the interim, new applicants will be asked to book their standard driving assessment with an organisation who have worked closely with the DVSA (the Blue Lamp Trust). Other options will also be offered should the licensing manager consider them to be on a parallel to the DVSA test. Members of the committee are requested to note the details of this test.
- 1.15 As stated above, drivers of wheelchair accessible vehicles previously undertook an enhanced assessment or upgrade assessment. At this stage officers have not been able to identify a suitable alternative for the enhanced or upgrade assessment. Officers recommend that in the interim, until an alternative can be found, the condition which requires the driver to pass the enhanced or upgrade DVSA test be modified to require the driver of the vehicle to be instructed and trained by the vehicle owner or someone who has received training in relation to the loading and unloading of wheelchairs, and to require a log to be kept of the training.

## **2.0 Options**

### **2.1 Option 1**

Introduce the alternative test as approved by the licensing manager which offers the same standards as the standard DVSA test. This would have the potential to maintain standards and public safety. Until a suitable alternative can be found require any driver of any wheelchair accessible vehicle to have undergone training and instruction by the owner of the vehicle or another competent person and to require a log of the training to be kept.

### **2.2 Option 2**

To recommend something different that would still ensure safety of the public.

## **3.0 Conclusion**

Officers' preferred option is option 1 and members are asked to approve the introduction of an alternative test to the DVSA test and to require all drivers of any wheelchair accessible vehicle to be trained and instructed by the owner of the vehicle or another competent person before being allowed to drive the vehicle and for training logs to be kept by the proprietor and made available for inspection by a licensing officer at any reasonable time, until such time as a suitable alternative can be offered.

### **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

**Contact Officer:** Mrs W Peck

**Telephone:** 01524 582317

**E-mail:** [wpeck@lancaster.gov.uk](mailto:wpeck@lancaster.gov.uk)

**Ref:** WP