

LICENSING COMMITTEE	AGENDA ITEM No. 4
19 JULY 2012	PUBLIC REPORT

Cabinet Member(s) responsible:	Councillor Peter Hiller – Cabinet Member for Housing, Neighbourhoods and Planning	
Contact Officer(s):	Regulatory Officer Ian Robinson Licensing Manager Adrian Day	Tel. 453541 Tel. 454437

TAXI GENERAL COMPETENCE COURSE

RECOMMENDATIONS	
FROM : Licensing Department Regulatory Officer Ian Robinson & Licensing Development Officer Kerry Leishman	Deadline date: N/A
For the Committee to approve the introduction of a further requirement of fitness to be attached to the grant of a licence to include the wording, “All new applicants, prior to applying for a Hackney Carriage or Private Hire Driver’s Licence, must undertake the PCC Taxi General Competence Course, provided by Peterborough Regional College.”	

1. ORIGIN OF REPORT

1.1 This report is submitted to the Committee following a referral from the Licensing Department (Taxi).

2. PURPOSE AND REASON FOR REPORT

2.1 The purpose of this report is to allow members to determine whether to amend the requirement of fitness to include the requirement for new applicants to undertake a general competence course, which includes an updated English Reading & Writing Test.

2.2 As part of the application process the authority must establish that persons wishing to be licensed drivers must be “fit and proper.” Whilst there is no approved test to establish if an applicant is “fit & proper,” factors such as the ability to communicate effectively in English and understand the relevant licensing legislation and conditions should be considered.

2.3 During the current application process, all new applicants are required to undertake an English Reading and Writing Test. This test has been criticised by the licensed trade for being “too easy.” It has been highlighted that some new drivers entering the trade struggle to communicate effectively with their customers. On occasion this has caused simple misunderstandings to escalate into a more heated situation. In addition, our officers have found that despite applicants having passed the current test, they still encounter communication problems.

2.4 The current test is facilitated by the Licensing Team’s Regulatory Officers. On average applicants take four attempts before successfully passing the test, which places a considerable drain on the team’s resources. As it stands there is no additional fee to re-sit a test and it is a common occurrence for applicants to attend multiple re-tests, without any preparatory work between each test, or any improvement shown.

2.5 If an applicant fails the current test, there is no resource or specialist help available to assist the applicant to reach the required standard to obtain a licence.

- 2.6 This report is for the Committee to consider under its Terms of Reference No. 2.5.1.1(a) “hackney carriage and private hire vehicle licensing” and 2.5.1.4 namely “To approve (and periodically review) the standard conditions to be attached to any licence/permit/consent issued by the Council”.

3. **TIMESCALE**

Is this a Major Policy Item/Statutory Plan?	NO	If Yes, date for relevant Cabinet Meeting	
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4. **BACKGROUND**

- 4.1 As previously stated on granting a driver’s licence, officers are required to ascertain that the applicant is a “fit and proper” person. The test of establishing if a person is “fit and proper” is not defined by law and is open to the interpretation of the individual licensing authority. In Peterborough all applicants are subject to references, medical, criminal record and D.V.L.A. checks, an English Reading and Writing Test and Local Knowledge/Driving Test.
- 4.2 During the current English Reading and Writing Test the applicant is required to:
- (i) Provide a written receipt, dictated by officer
 - (ii) Write their name and address
 - (iii) Undertake three basic maths questions
 - (iv) Read aloud and explain three randomly chosen licence conditions
 - (v) Identify three locations on a map and state which route would be taken
 - (vi) Read aloud six randomly chosen street names from the list provided.
- 4.3 Members of the trade, via the previous Forum and the more recently, the Hackney and Private Hire Federations, have indicated that they believe the test is too simple and despite passing the test, some applicants are unable to communicate effectively in English. This can be corroborated by the Licensing Team’s officers when dealing with complaints from the public and on personally observing applicants passing the test, only to discover during the driving test that they struggle to communicate with the applicant.
- 4.4 It is a necessary requirement for licensed drivers to be able to communicate effectively in English. Their role requires them to provide a written receipt if requested, understand pertinent legislation / licensing conditions and follow diversion signage if a road closure is in force. In addition if a passenger is taken ill, there may be a need for a licensed driver to contact the Emergency Services and follow instructions given by them to facilitate immediate aid.
- 4.5 We have received a number of complaints concerning the way that disabled passengers are treated and transported by the hackney and private hire drivers. In particular complaints indicate that people in wheelchairs have been placed in hackney carriages without access ramps being used, wheelchairs have not been secured correctly and some disabled passengers allege they have been refused access to hackney carriages. In 2010 we prosecuted two private hire operators for making additional charges for carrying assistance dogs. The Disabled Persons Transport Advisory Committee, in their 2003 Good Practice Guide emphasised the need for driver training for taxi drivers dealing with disabled people. The proposed course includes an input into the Equality Act 2010, in particular the responsibilities placed on taxis & private hire drivers.
- 4.6 On looking to revise / amend the current requirements and to ensure the authority is always striving to improve the service we provide to the public, officers investigated various avenues, from merely increasing the difficulty of the test, to providing a more structured training course, incorporating various aspects relating to the trade and culminating in a new English Reading and Writing Test. In addition, officers looked at the possibility of a more appropriate test, where support and additional training could be offered to those failing to meet the required level. This would also relieve the burden on officers dealing with multiple re-tests.

- 4.7 It appears the most appropriate way to facilitate the necessary changes would be to introduce a competency course, which all new applicants would be required to attend and pass, before being eligible to submit an application to become a driver.
- 4.8 Officers liaised with Peterborough Regional College and the City College to ascertain if they could tailor a specific course / test. Unfortunately City College stated that they did not have the necessary resources to assist, but the Regional College were enthusiastic and met the challenge, producing a syllabus for the proposed new course / test. The staff at the college are trained tutors and are experienced in facilitating the E.S.O.L. courses (English Speaking for Other Languages).
- 4.9 If the committee decides to amend the current requirements, the new proposed "Taxi – General Competence Course" will involve applicants undertaking a day long training course, facilitated by the Regional College. The course will culminate in a new English Reading and Writing Test. When conducting the current test, the officer leads the applicant through the process, step by step, often having to repeatedly explain what is required. The new test will require the applicant to read instructions and questions, thereby increasing the level of English required. The test will cover the topics taught during the day (**see syllabus detailed in paragraph 5.0**). The course will also include an initial assessment. If the applicant is identified as falling below the necessary standard, they can be diverted to various English and Numeracy courses, some of which are free of charge, allowing the applicant to gain further transferable skills and reach the required level to undertake the course. The new applicant would be required to undertake and pass the course before they are eligible to submit an application to become a licensed driver.

5. PROPOSED SYLLABUS

- 5.1 The new proposed syllabus will include:
- (i) Equality Act 2010
 - (ii) Producing written receipts & issuing change
 - (iii) Highway Code
 - (iv) Road Sign Quiz
 - (v) Licensing Conditions
 - (vi) English Reading and Writing Test
- 5.2 It is anticipated that the cost of the course will be met by the new applicant and paid directly to the college. It will cost approximately £95.00 and those applicants who are unsuccessful at the first instance will be offered the opportunity of re-sitting the test at a cost of £25. There will also be an opportunity to complete a half-day refresher course at a cost of £60, if more help is needed.
- 5.3 The new proposed course will establish that the applicant meets Level 1, which is equivalent to D-G grade GCSE / lower foundation BTECs. The minimum class size will be 6 persons and the maximum 10 and as a result applicants would not have to wait for long periods for course availability. It is proposed that the course will be run from the Gladstone Park Community Centre, so will minimise travel for many applicants and provide free parking.
- 5.4 All tutors facilitating the proposed course are qualified to degree level in the subject they are teaching and have a level 5 teaching qualification. Classes are annually inspected by the college's Quality Team, regularly observed by the Curriculum Team Manager and inspected by Ofsted.

6. CONSULTATION

- 6.1 The consultation period ran throughout February 2012, with an article and advertisement appearing in the Evening Telegraph and was also included on the Consultation Database

featured on our website. In addition, letters were sent to a number of interested parties, detailed in paragraph 6.2.

We have received a number of responses, which can be seen in **Appendix A**. Three responses came from the trade and the remainder via Peterborough's Disability Forum.

6.2 Consultees

The Peterborough Hackney Driver Federation.

The Peterborough Private Hire Federation

All Peterborough Private Hire Operators

Advert placed in the Peterborough Evening Telegraph.

Notification placed on council website.

Sara Thompson - Passenger Transport Operations, Peterborough City Council

Sgt. Nikki Hall – Cambs Constabulary

The Physically Handicapped and Able Bodied Club (P.H.A.B.)

The Peterborough Disability Forum

7. **ANTICIPATED OUTCOMES**

- 7.1 It is anticipated that Members of the Licensing Committee will approve the recommendations in order to amend the fitness requirement relating to new applicants issued by Peterborough City Council, to specifically allow the implementation of the proposed course.

8. **REASONS FOR RECOMMENDATIONS**

- 8.1 To deliver a more efficient application and testing process, whilst ensuring new applicants entering the Taxi / Private Hire Trade reach a consistent and recognisable level. Improving the knowledge and communication skills of the Hackney / Private Hire trade will contribute to improving public/driver safety and customer service. The two key principles of the policy will be firstly to identify applicants that currently do not meet the required standards that we expect of our drivers, and secondly, through the Peterborough Regional College offer the necessary help and support on how to gain or develop the necessary skills to the required level.

9. **ALTERNATIVE OPTIONS CONSIDERED**

- 9.1 The Committee may decide not to amend the conditions of fitness and retain the current test, or increase the difficulty of the current test and continue to administer in-house.

10. **IMPLICATIONS**

- 10.1 The introduction of a new course will increase the cost of obtaining a licence by a further £95.00, bringing the total to £244. The cost of the course will be the responsibility of the applicant and paid directly to the college. As the course will be facilitated by the college, it will reduce the impact on the Licensing Department's resources.
- 10.2 The proposed course does not contravene Human Rights legislation and can only have positive cross service implications, i.e. The Passenger Transport Team, who were consulted as part of this process will see a recognisable improvement in the new driver's ability to communicate effectively in English.
- 10.3 Those applying to enter the trade largely come from the Asian community and the introduction of the course could be construed by some as an equality issue, however it is worthy of note that the request for change came from the trade themselves. The ability of taxi / private hire drivers to communicate effectively in English is essential to carry out their duties. Re-locating the testing at the college will allow applicants to access better support, training and access to other courses, thereby developing transferrable skills and in some cases recognisable qualifications. The new policy will empower applicants by increasing

their knowledge of disabilities and widen their awareness of the individual needs of others. The training and assessment will enable the understanding that some customers are vulnerable and accordingly require different levels of assistance and support.

- 10.4 There is a clear potential for inequalities to be removed as applicants will be able to gain additional skill sets, raising their social skills. This will not only enable them to acquire an agreed standard, it will also benefit them by furthering their career, or to consider employment previously out of their reach due to lack of experience or transferable skills. Many people suffer inequalities due to lack of social or academic skills. The assessment and training will identify any assistance the applicant requires and the applicants will be supported and tutored by experienced and qualified College staff. The staff at the college have a wealth of experience working with students where English may not be their first language. The new proposed course can only improve the quality of service we are able to offer the applicants, trade and the public. (Equality Impact Assessment – **Appendix B**)

11. **BACKGROUND DOCUMENTS**

- Sections 51(1&2) & 59 Local Government (Miscellaneous Provisions) Act 1976 (**Appendix C**).
- Department of Transport Taxi & Private Hire Licensing Best Practice (**Appendix D**).

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