

TRAFFORD COUNCIL

Report to: Public Protection Sub-Committee
Date: 20th June 2019
Report for: Decision
Report of: Head of Regulatory Services

Report Title:

The implementation of a Knowledge Test and changes to the current English Language Test for all new Hackney Carriage/Private Hire Driver Applicants

Summary

On the 20th September 2018 the Public Protection Sub Committee approved the implementation of a Knowledge Test and a higher threshold for the English Language Test to be included as part of the application process for a Private Hire or Hackney Carriage driver's licence.

This report provides Members with details around the planned implementation of that Knowledge Test which, if approved, will require an amendment to the decision of the 20th September 2018 to allow the requirement of a Knowledge Test prior to applicants submitting their application for a Private Hire or Hackney Carriage driver's licence.

The report also confirms that the revised English language criteria adopted by the Public Protection Sub Committee on 20th September 2018 will have the same implementation date of 1st September 2019.

Recommendation(s)

It is recommended that the Sub-Committee: approves the following proposals:

- Approves the proposal to introduce the Knowledge Test as the initial stage before any other aspects of the application process are applied
- Approves the proposal to offer candidates failing the Knowledge test a chance of a re-sit after six months and that those failing the re-sit have to wait a further twelve months
- Subject to the approval of the above proposals, notes the implementation date of 1st September 2019 for such changes.

Contact person for access to background papers and further information:

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Background Papers

Appendix 1 - Report of Public Protection Sub-Committee from 20th September 2018

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| Relationship to Policy Framework/Corporate Priorities | None |
| Financial | In September 2018 the Sub-Committee resolved to introduce an additional fee in respect of the knowledge test that all new applicants will be required to pass. The fee set for an initial test and any subsequent re-sit is to be set at a level to cover the additional officer costs involved. |
| Legal Implications: | Hackney carriage and private hire licensing is the function of the Council. The statutory powers are contained within the Town Police Clauses Act 1847 and Part II of the Local Government (Miscellaneous Provisions) Act 1976. The Council is required to issue a hackney carriage or private hire driver's licence provided it is satisfied that the applicant is fit and proper to hold such a licence. It is for the Authority to determine the criteria by which it can 'measure' if an applicant is fit and proper to hold a licence. |
| Equality/Diversity Implications | An Equality Impact assessment was conducted prior to the original policy change in September 2018. No additional EIA has been conducted in relation to this subsequent proposal to fix implementation details. |
| Sustainability Implications | None |
| Staffing/E-Government/Asset Management Implications | It is proposed that the administration of the knowledge test will be carried out by a combination of existing staff and additional staff resource currently being sourced. |
| Risk Management Implications | None |
| Public Health Implications | None |
| Health and Safety Implications | None |

1.0 Background

- 1.1 On 24th September 2015, the Public Protection Sub Committee resolved to remove the requirement for applicants for a private hire and hackney carriage driver's licence to pass a local area knowledge test and widen the criteria for acceptable proof of competence in English.
- 1.2 On the 20th September 2018 the Public Protection Sub-Committee reversed its earlier decision and resolved to re-introduce a requirement for those applying for a private hire/hackney carriage driver's licence to pass a local area knowledge test and to introduce a stricter criteria for acceptable proof of competence in English.
- 1.3 A copy of the report which was considered by the Sub-Committee on the 20th September 2018 is attached at Appendix 1.
- 1.4 This report requests that the Public Protection Sub Committee amends the decision of the 20th September 2018 to re-introduce the knowledge test as the initial stage of seeking a private hire/hackney carriage driver's licence, before any other aspects of the application process are applied.

2.0 Implementation of Knowledge Test

- 2.1 A suitable knowledge test has been devised. The content has been approved by the Corporate Director, Place who has also approved the implementation date of the knowledge test and the revised English language requirements. The knowledge test will be administered from the 1st September 2019. At least four weeks before this implementation date all those currently in the queue will be contacted with an update. This update will confirm the changes in policy, the implementation date and will advise them of the format of the test and the type of questions that may be asked.
- 2.2 There is currently a very large queue of people who have expressed an interest in applying for a private hire/hackney carriage driver's licence. It is proposed that the knowledge test be introduced as a pre-filter. In other words applicants will be required to pass the knowledge test before other aspects of the application process are administered e.g. right to work, induction training, DBS checks etc.
- 2.3 It is further proposed that those taking the test and failing will be offered one chance to re-sit, after a period of six months. Those failing the re-sit will be advised that they will not be offered a further opportunity to take the test for a period of at least 12 months. These proposals are seen as a balance between fairness to the individual applicant but also to the range of other people who have yet to take their test

2.4 Charges will apply to both the original knowledge test and also to any subsequent re-sit. The fee for the first knowledge test will be in the region of £90.00, with the fee for the re-sit being a slightly reduced figure to reflect a reduced element of administration.

2.5 For the avoidance of any doubt, applicants who fail the knowledge test will still be able to submit an application as they are legally entitled to do so. However those applicants will be notified that their application will need to be considered and determined by the Public Protection Sub Committee.

3.0 **Revised English Criteria**

3.1 On the 20th September 2018 the Sub Committee approved the revised criteria for evidencing an acceptable level of English.

3.2 The following were confirmed as acceptable proof of the English language standard:

- Common European Framework of Reference for Languages (CEFR) – Level B1 Speaking & Listening (Citizenship test); or
- GCSE, GCE, O level, or A level issued by a recognised examining body in the UK; or
- An NVQ, City and Guilds or similar vocational qualification, taught in the English language, (level 2 or higher) issued by a recognised examining body in the UK; or
- A degree taught or researched in English; or
- A TOEFL (Test of English Language as a Foreign Language, IELTS (International English Language Testing System) or ESOL Qualification at a level which provides equivalence to the CEFR Level B1 speaking and listening

3.3 These revised English language criteria will be applied from the 1st September 2019 implementation date.

4. **Recommendations**

It is recommended that the Sub-Committee approves the following proposals:

- Approves the proposal to introduce the Knowledge Test as the initial stage before any other aspects of the application process are applied
- Approves the proposal to offer candidates failing the Knowledge test a chance of a re-sit after six months and that those failing the re-sit have to wait a further twelve months

- Subject to the approval of the above proposals, notes the implementation date of 1st September 2019 for both these changes to the Knowledge Test and the revised English language criteria