

DECISION-MAKER:	LICENSING COMMITTEE		
SUBJECT:	REVIEW OF THE PRIVATE HIRE KNOWLEDGE TEST		
DATE OF DECISION:	30 JANUARY 2020		
REPORT OF:	SERVICE DIRECTOR, COMMUNITIES, CULTURE AND HOMES		
<u>CONTACT DETAILS</u>			
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STATEMENT OF CONFIDENTIALITY	
None	
BRIEF SUMMARY	
Review of the change of the knowledge test for new private hire drivers.	
RECOMMENDATIONS:	
	(i) To consider the content of the report and representations from any parties and give a recommendation on the continuance of the current content of the test for new private hire drivers.
REASONS FOR REPORT RECOMMENDATIONS	
1.	Officers changed the content of the test in January 2018 to address the number of out of area vehicles working in the city, this was against the wishes of the existing taxi trade representatives. It was agreed to bring a review before the licensing committee after one year. This was done in November 2018 and the licensing committee agreed to keep the tests the same and to review again after another year.
ALTERNATIVE OPTIONS CONSIDERED AND REJECTED	
2.	All options are considered in the recommendations.
DETAIL (Including consultation carried out)	
3.	It has been the policy of Southampton City Council that applicants for either a private hire or hackney carriage driver's licence must pass a knowledge test as set by the council.
4.	The test has evolved over the years from being part of a driving assessment to a one to one interview style test asking questions to the current format where applicants sit a multiple choice style test using a council computer.
5.	Until the 1st of January 2018 the test for both hackney carriage driver applicants and private hire driver applicants were the same. There were 100 questions split into three sections, 20 questions on legislation and conditions, 40 questions on junctions and 40 questions on locations. To pass a test an applicant needed to achieve a minimum of 80% in each of the three sections.

6.	This style of test had been in place for a number of years. In that time the taxi trades have seen significant changes such as the impact resulting from technology companies. This resulted in a significant increase of licensed vehicles, in particular private hire vehicles, working in Southampton but licensed elsewhere.
7.	During 2017 the taxi trades reported an estimated 180 vehicles licensed by other authorities were regularly working in Southampton using one of the technology companies' platforms. This raised public safety concerns as these drivers had not been checked by local officers and the vehicles were not subject to local policy and conditions, especially the requirement to have an approved taxi camera fitted.
8.	Officers made enquiries of drivers they came into contact with from other authorities, other authorities and private hire operators to ascertain why drivers (working in Southampton) apply to be licensed elsewhere. The main reason given was the difficulty applicants had passing the Southampton knowledge test.
9.	In one of the taxi trade consultation meetings in 2017 the low pass rate of the knowledge test was raised as companies were struggling to recruit drivers and saw the test as a barrier to their trade.
10.	Officers considered lowering the pass mark but were reluctant to lower standards. The taxi trade were also keen to maintain standards. Officers were aware the larger operators conducted their own assessment and took responsibility for the standard of their drivers.
11.	As any private hire journey has to be pre-booked a driver should have time to prepare for the journey, this reduced the need for a driver to have such a detailed knowledge of the area.
12.	As a result, officers amended the test for both private hire drivers and hackney carriage drivers. <ul style="list-style-type: none"> • Hackney carriage drivers still took a test of 100 questions; 40 on legislation and conditions, 20 on road junctions and 40 on locations • Private hire drivers only had to take the legislation and conditions section of the test The pass mark remained the same at 80% of each section they took. This was implemented on 2nd January 2018. Any private hire driver wishing to become a hackney carriage driver would have to pass the test to the level required for hackney carriage drivers.
13.	Part of the reason for taking this option was the fact private hire operators were already undertaking assessment of drivers and it is in the operator's interest to ensure drivers provide a good service. This change passed the responsibility of service delivery to the operator.
14.	Since changing the test for private hire drivers we have seen a significant increase in applications and this has resulted in a significant increase in the numbers of private hire vehicles and drivers we licence. The table below shows the numbers of both hackney carriage and private hire licences since 2017

	Date	Hackney Carriage	Hackney Carriage Driver	Private Hire Vehicle	Private Hire Driver
	1 st January 2017	283	467	660	848
	1 st January 2018	283	436	682	848
	1 st January 2019	283	436	858	1127
	1 st January 2020	283	439	1089	1420
15.	This has not completely resolved the issue of out of area vehicles working in Southampton, however, it has significantly reduced the numbers. Some of this change must be attributed to Uber moving to a regionalised operating model but Uber drivers would have the option of licensing in other areas in the region, by changing the test we have captured the vast majority of this group.				
16.	There was always a concern this move would see Southampton licensed vehicles working in areas other than Southampton and this has occurred to a very small degree. We are aware of around 5-10 vehicles in Brighton/Hove/Lewis area, around 4 in the area of Oxford and about the same number in Bournemouth. Licensing Enforcement Officers work with other authorities and are checking compliance of vehicles operating outside of the Southampton area. We have not seen the mass licensing of vehicles working in other areas that some other licensing authorities have experienced at this time.				
17.	Another concern of the trade was there would be an increase in complaints of drivers not knowing where they are going. This has not been realised in the record of complaints held by the authority.				
18.	In reviewing this change officers are satisfied the change in the test has made a significant contribution to reducing the numbers of out of area vehicles working in the city and therefore improving public safety. There is a real concern if we reverted to the original exam we would see a large number of drivers and vehicles licence elsewhere but continue to work in the city.				
19.	Officers are aware that it is not unrealistic that drivers are checked on their basic geographical awareness including some of the significant locations in the city and around the region. Therefore licensing officers are currently writing a separate bespoke knowledge test that will include the current range of law questions as well as bringing in an element of basic topography.				
RESOURCE IMPLICATIONS					
<u>Capital/Revenue</u>					
20.	As the fees paid are ring fenced to service paid for the additional fees received have been considered in a restructure of the licensing team which has seen an increase in establishment of one and half officers. A further assessment of income and costs has been conducted and the licensing team				

	are in the process of recruiting two more enforcement staff. Further reviews on staffing levels are planned within the next year with a view to a possible further increase again.
<u>Property/Other</u>	
21.	None
LEGAL IMPLICATIONS	
<u>Statutory power to undertake proposals in the report:</u>	
22.	Sections 51 and 59 of the Local Government (Miscellaneous Provisions) Act 1976
<u>Other Legal Implications:</u>	
23.	Section 17 Crime and Disorder Act 1998 places the council under a duty to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.
24.	Human Rights Act 1998 - any action undertaken by the council that could have an effect upon another person's human rights must be taken having regard to the principle of proportionality - the need to balance the rights of the individual with the rights of the community as a whole. Any action taken by the council which affect another's' rights must be no more onerous than is necessary in a democratic society. The matter set out in this report must be considered in light of those obligations.
RISK MANAGEMENT IMPLICATIONS	
25.	I assess this as low risk. There is no financial risk. There is a medium risk to reputational image if this matter is not addressed.
POLICY FRAMEWORK IMPLICATIONS	
26.	None

KEY DECISION?	No
WARDS/COMMUNITIES AFFECTED:	All
<u>SUPPORTING DOCUMENTATION</u>	
Appendices	
1.	
2.	
Documents In Members' Rooms	
1.	
2.	
Equality Impact Assessment	
Do the implications/subject of the report require an Equality and	No

Safety Impact Assessment (ESIA) to be carried out.		
Data Protection Impact Assessment		
Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out.		No
Other Background Documents		
Other Background documents available for inspection at:		
Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)	
1.		
2.		