

Subject: Introduction of a Knowledge Test **Status:** For Publication.

Report to: Licensing Committee **Date:** 17th October 2006

Section Head: Head of Legal & Democratic Services **Report Author:** Susan Chadwick

Portfolio Holder: Leader of the Council **Key Decision:** No

APPLICANT : KENYON'S TAXIS

1. PURPOSE OF REPORT

- 1.1 To inform members of the request by Kenyon's Taxis, Haslingden, that a knowledge test be introduced for hackney carriage and private hire drivers.
- 1.2 To request that Committee consider this application.

2. RECOMMENDATIONS

- 2.1. It is recommended that the application is rejected.

3. BACKGROUND

- 3.1. Mrs Kenyon has requested the introduction of a knowledge test due to the number of complaints from the public. Refer to Appendix A.
- 3.2 The Licensing Unit has not received any complaints in this regard to date, nor any indication that there is a problem.
- 3.3 The introduction of a knowledge test would require additional resources, additional staffing and additional fees, which will be passed onto the trade.
- 3.4 The provision of fees is governed by the Local Government (Miscellaneous Provisions) Act 1976, which does not allow the Licensing Authority to charge whatever it likes but provides that the cost of a licence has to be related to the cost of the licensing scheme itself. In essence, the Act forbids licensing authorities making a profit but does not expect them to subsidise taxi business with monies from council tax revenues.
- 3.5 The intended outcomes of the request for a knowledge test should be carefully considered. A knowledge test does not provide for examination of knowledge with regard to residential properties. These tests examine the knowledge in getting to places of interest, need or pleasure.
- 3.6 In determining this request, members should firstly consider that if this application is granted, whether the knowledge test would be manually administered or whether it would be electronically administered. These are the only options available in terms of testing, and both are costly to the unit as referred to at item 3.3 and is therefore also costly to driver. For manual administration, staffing and resource capacity within the unit is limited. For electronic

administration, there would be substantial cost implications with respect to software, maintenance and training.

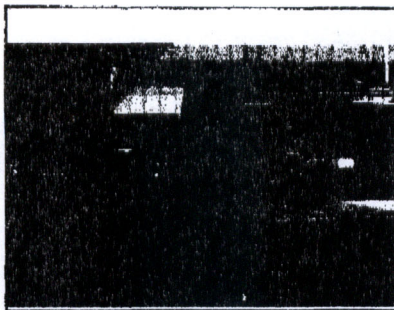
- 3.7 Further, there is the matter of how appeals would be dealt with and by what degree this would delay drivers in obtaining the licence. The trade have already indicated that the CRB process delays them in obtaining a licence.
- 3.8 Members then need to consider whether new and old drivers will be required to take the knowledge test. If old drivers are required to take the test and fail it, would the licence be revoked? If the assumption is made that a failure of the test leads to revocation, members should consider the Human Rights implications and the right to earn a living for these individuals.
- 3.8 It would be inappropriate to grant the application for the introduction of a knowledge test and even more so without having a full cost implications assessment.
- 3.9 Members are also respectfully reminded of the vision for the Borough's future – 'Rossendale Alive'. Rossendale – A cracking place to live and work. This vision is aimed at the Borough and its future and is not prejudiced against anyone.
- 3.10 It follows that this application should be rejected.

4. RISK ASSESSMENT IMPLICATIONS

- 4.1. The Licensing Authority must comply with legislation about fees and charges but is able to set such fees as to enable it to recover part or the whole of costs associated with the grant and renewal of driver licences. In addition, the Authority should not use monies from council revenues in such a way that would favour private business.
- 4.2 A knowledge test has the potential to prejudice against those who do not reside in the Borough and potentially undermines the Council's Equality objectives and strategy which provides a framework for the Council to ensure that it does not discriminate in any way.

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Appendices	
Document	Place of Inspection
Letter from Kenyons Taxis	Appendix A



KENYONS TAXIS

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11/09/06

I WISH TO REQUEST THE INTRODUCTION OF A KNOWLEDGE TEST FOR HACKNEY AND PRIVATE HIRE DRIVERS TO BE ADDED TO THE AGENDA AT THE NEXT LICENSING MEETING . I AM VERY CONCERNED ABOUT THE NUMBER OF COMPLAINTS FROM THE PUBLIC ABOUT DRIVERS NOT KNOWING WHERE THEY ARE GOING .

ALSO I WOULD LIKE TO BE DISCUSSED THAT ON THE PURCHASE OF A HACKNEY CARRAIGE BADGE THAT THE DRIVERS HAVE THE OPPORTUNITY TO PURCHASE A PRIVATE HIRE BADGE TO RUN CONCURRENTLEY.FOR A SMALL FEE FOR EXTRA ADMINISTRATION. MY REASONS FOR THIS IS AS A HACKNEY CARRAIGE OPERATOR I WOULD BE ABLE TO SPLIT MY FLEET UP TO HACKNEY AND PRIVATE HIRE VEHICLES AND ESPECIALLY AT WEEKEND WHEN WE GET A BIG INFLUX OF DRIVERS AND VEHICLES FROM OUT OF THIS AREA BUT LICENSED BY ROSSENDALE IT WOULD HELP TO ELEVATE THE OVER LOADING OF THE RANKS.

Yours truly,

A Kenyon

MRS A KENYON

ROSSENDALE
LICENSING UNIT
RECEIVED

11 SEP 2006