

EAST AYRSHIRE COUNCIL

Local Government Licensing Panel – 19 June 2025

Report by Chief Governance Officer

TOPOGRAPHICAL KNOWLEDGE TESTS AND MEDICALS FOR TAXI AND PRIVATE HIRE CAR DRIVERS

Purpose of report

1. Members are invited to consider the request received from a member of the taxi trade and agree whether to carry out a review of topographical knowledge tests and medicals for taxi and private hire car drivers.

Recommendations

2. **It is recommended that the Licensing Panel consider the contents of this report and agree whether to:-**
 - (i) **undertake a review of the policy of requiring applicants for taxi and private hire car driver licences to undergo a topographical knowledge test;**
 - (ii) **undertake a review of the policy of requiring all taxi and private hire car drivers to be medically assessed to DVLA Group 2 standards; and, if so, thereafter**
 - (iii) **agree that the review should consist of a survey questionnaire to all taxi and private hire car operators; and thereafter**
 - (iv) **remit to the Chief Governance Officer to report to a future meeting.**

Background

3. The Council, as Licensing Authority, is responsible for the licensing of taxi and private hire car drivers in terms of the Civic Government (Scotland) Act 1982.
4. The current policy requires that all taxi and private hire car applicants undertake a topographical knowledge test and submit a satisfactory medical certificate to DVLA Group 2 standards as part of the licensing process.
5. **Topographical Knowledge Test** – Prior to the pandemic all new applicants for either a taxi or private hire car driver licence were required to sit and pass a topographical knowledge test as part of the application process. The test was used to measure an applicant's

knowledge of the area in which they would primarily be driving a taxi or private hire car by completing 20 multiple choice questions with the pass mark being set at 15. It was considered appropriate that drivers should have a reasonable working knowledge of the area in which they are licensed.

6. The topographical knowledge test was disapplied in 2020 and 2021 during the pandemic as part of the temporary support measures to assist the trade during that time.
7. At a meeting on 5 October 2023, the Licensing Panel members were requested to reconsider the various temporary support measures which had been put in place to assist the trade, as detailed in a report dated 2 October 2023. Having noted that of the 12 responses received in a survey carried out with taxi operators, 6 were in favour of reinstating the topographical knowledge test and 6 were against, and also having taken into account the updated Scottish Government guidance issued in May 2023 on Taxi And Private Hire Car Licensing – Best Practice for Licensing Authorities and Taxi and Private Hire Car Operators (3rd Edition), which stated that taxi and private hire car drivers should have a good working knowledge of the area for which they are licensed, the Panel members agreed to reinstate the topographical knowledge test with effect from 1 January 2024.
8. Between 1 January 2024 and 2 June 2025, there have been a total of 83 applications for taxi and private hire car drivers submitted, of which, 64 applicants have passed the topographical knowledge test, 13 applications remain ongoing and 6 have been withdrawn.
9. **Medical Assessments for Taxi and Private Hire Car Drivers** – At a meeting held on 22 November 2018, the Licensing Panel members considered a report dated 15 November 2018 on the proposal to adopt the DVLA Group 2 medical standards for all taxi and private hire car drivers and approved a formal consultation with all current licence holders to obtain their views.
10. The consultation advised that in April 2016 the DVLA had updated relevant guidance recommending that taxi and private hire drivers be medically assessed to Group 2 standards and that the Scottish Government had endorsed this recommendation in November 2016 following the tragic consequences of the Glasgow bin lorry incident in December 2014.
11. In addition, the consultation further advised that the basis for considering the adoption of the DVLA Group 2 medical standards for licensed drivers was to support the fundamental licensing objective of ensuring public safety.
12. Thereafter, at a meeting held on 24 January 2019, the Licensing Panel considered a report dated 17 January 2019 and agreed to formally

adopt the DVLA Group 2 medical standards with effect from 1 April 2019, having noted the three responses to the formal consultation which been received from current licence holders; the implementation and application of Group 2 standards in other Councils; and the decision to formally adopt the DVLA Group 2 standards in 2017 by Scottish Borders Council after having been subject to a legal challenge by way of an appeal to the Sheriff Clerk at Selkirk Court.

Discussion

13. At a meeting held on 4 April 2025 with taxi and private hire operators to discuss various licensing matters, a letter was submitted to the Licensing Unit by Mr Ross Gilmour of Thistle Cabs in Kilmarnock. In his letter, Mr Gilmour details policy matters which in his and the trade's opinion are proving problematic in recruitment of drivers, namely the topographical knowledge test and medical assessments for drivers (copy attached at Appendix 1)

Financial implications

14. Since the reintroduction of the topographical knowledge tests in January 2024, applicants are requested to pay a fee of £30.00 in order to sit the test. This fee provides for an applicant sitting the test on three attempts, and is deducted from the overall fee of £210.00 when the applicant passes the test. Where an applicant has to re-sit the test following three failed attempts, a further £30.00 would be payable at that time. This fee is to take account of an Officers time spent inviolating the test.
15. It was agreed that any costs incurred in obtaining a medical assessment is met by the applicant/licence holder concerned and, this being the case, there is no direct cost implication to the Council.

Legal implications

16. The Civic Government (Scotland) Act 1982, in Sections 10, 11 and 13, makes provision for the licensing of taxis and private hire car operators and drivers and also the inspection and testing of vehicles.
17. Paragraph 10 of Schedule 1 to the above Act, allows the licensing authority to vary the terms of a licence on any grounds they think fit, having regard to the licensing policy objective of promoting public safety.

Community Planning/Policy/Risk Implications

18. The adoption of a policy requiring that all taxi and private hire car drivers undergo a Group 2 standard medical assessment is considered integral to the commitment to improve standards generally in respect of

local transport in the interests of safety and comfort of the travelling public.

Appendix

Letter from Mr Ross Gilmour, Thistle Cabs.

Background Papers

Nil

Person to contact

David Mitchell, Chief Governance Officer – Tel 01563 576061

Email: david.mitchell@east-ayrshire.gov.uk

Implementation Officer

David Mitchell, Chief Governance Officer – Tel 01563 576061

Email: david.mitchell@east-ayrshire.gov.uk

DM/GK

3 June 2025

Dear Panel,

I would like to raise serious concerns regarding the dwindling number of taxi drivers in East Ayrshire. There are several factors that can be attributed to this but none more so than the astonishing barriers put in front of potential applicants by the East Ayrshire council.

Firstly, the street knowledge test that has been reintroduced after a very successful period of intake of drivers when such test was disbanded. The effect this has is astronomical as the number of applicants that decide not to even attempt to pursue applying for their badge is massive and of the few that decide to go ahead with this the pass rate must be particularly low. Only allowing 3 attempts as well beleaguers belief as this is a cost to either the applicant or potential employer. In the modern era where taxi drivers are assisted by sat navigation and soon to be what3words like the Police use then I cannot see any justification whatsoever as to why this is required in an area that size wise cannot be compared to cities such as Glasgow and Edinburgh whereas a metropolitan area, I can see the need for driver knowledge at least.

To say that the trade is split is quite ridiculous as of course licence holders that only have their own car don't want anymore drivers passing tests as it is competition. But isn't it competition that the council seeks when tendering for any contracts. A bit confusing, seems to be when it suits.

Then there is the medical that was introduced a few years back seemingly on the back of the "Scottish Government" guidance. Anyone that wants to follow their advice should maybe need assessed themselves look at the state of our country because of them. Again, applicants have been immediately despondent when realising that they must participate in such examination. Again, this isn't going to stop someone becoming unwell at anytime in their life. At any moment any of our bodies could fail us. I have since met former drivers that have failed medicals still driving full-time in other council areas where they do not have such stringent restrictions.

Even the alleged "temporary" taxi rank in Kilmarnock is having a massive effect on the trade. Every town, city you visit the taxi rank is right outside the Bus Stations, Railway Stations, Airports and other transport links. Anyone coming to Kilmarnock firstly will have their work cut out finding the rank never mind accessing it. This must be placed back at the Bus Station as soon as is safe to do so. That is a necessity. There are no alternatives that should be considered.

The first 2 mentioned barriers that East Ayrshire have put in place aren't in place in any of our 2 neighbouring councils and all East Ayrshire is doing is preventing employment in their own area and making the proposition of becoming a taxi driver nigh impossible. This is all on top of the minimum 28 days to even process the taxi badge again which is utterly astounding in this technological era.

It is said Council that demands higher standards. It is said council that wants massive investment particularly in Wheelchair Accessible Vehicles. I will say this only once that is an impossibility as things are. The wages drivers/owners are living off give us no chance whatsoever of purchasing these now £60,000 plus vehicles.

The trade has gone through incredibly tough times in recent years and may never recover to what it once was. We are the driving force of the community, we clear up the streets, we help with many police investigations, we ensure the safety of the public, we ensure the continuity and safety of delivering first class ASN transportation of children and vulnerable adults. Surely this is a trade worth fighting for and not fighting against. We plead with the council that they work with us to enable us to thrive not die.

Put simply lack of drivers means lack of income, means lack of investment, which leads to lack of quality. I put it to the Council today to remove these barriers to get the trade turning the wheels again.

Kind Regards

Ross Gilmour