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The Chair and Members of Taxi
Consultative Committee

Please ask for Brian Offiler
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7 January, 2015

Dear Councillor,

Please attend a meeting of the TAXI CONSULTATIVE COMMITTEE to be held on WEDNESDAY, 14 JANUARY 2015 at 6.00 pm in Committee Room 1, Town Hall, Chesterfield, the agenda for which is set out below.

AGENDA

Part 1(Public Information)

1. Declaration of Members' and Officers' Interests relating to Items on the Agenda
2. Apologies for Absence
3. Minutes of Meeting held on 8 October, 2014 (Pages 3 - 8)
4. Matters Arising on the Minutes
5. Fees and Charges - 2015/16
6. Actions taken by the Licensing Team since the Previous Meeting
7. Renegotiation of the Test Station Contract (attached) (Pages 9 - 10)
8. Security and Enforcement Issues

Item raised by Ann Dickens.

Chief Executive
Huw Bowen



9. Police Issues
10. Derbyshire County Council Issues
11. Date of Next Meeting

Wednesday, 15 April, 2015 at 6.00 pm.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Randy', written in a cursive style.

Local Government and Regulatory Law Manager

TAXI CONSULTATIVE COMMITTEE

Wednesday, 8th October, 2014

Present:-

Representing Chesterfield Borough Council

Councillor Jean Innes
Councillor David Allen
Councillor Bob Gibson
Trevor Durham
Grace Dowson

Representing Derbyshire County Council

Simon Tranter

Representing Derbyshire Constabulary

Inspector John Turner

Representing the Hackney Carriage and Private Hire Trade

Stephen Aldersley
Stephen Atkin
Jim Brookbank
Ann Dickens
Victoria Naylor
Eric Needham (representing Mandy Briddon)

**12 DECLARATIONS OF MEMBERS' AND OFFICERS' INTERESTS
RELATING TO ITEMS ON THE AGENDA**

No declarations of interest were received.

13 APOLOGIES FOR ABSENCE

Apologies for absence were received from Mr S Oliver and Mr R Sinclair.

14 MINUTES OF MEETING HELD ON 16 JULY, 2014

The Minutes of the meeting held on 16 July, 2014 were agreed as a true record.

15 SAFETY INSPECTIONS OF VEHICLES BETWEEN TESTS

Mr Aldersley raised a question about points being issued to drivers where safety inspections identified faults with the vehicle they were driving. It was explained that where faults were identified, the individual circumstances of the case were taken into account and points were only issued where it was reasonable to expect the driver to have been aware of the fault. The driver would have the right to appeal the issuing of points.

It was stated that, generally, vehicles were now in better condition when presented for testing than a few years ago, which it was felt was partly due to the potential for points to be issued acting as a deterrent. Maintaining public safety was a priority.

16 CHANGES TO THE HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY

Further to Minute No. 7, and following the consultation period on the proposed changes to the Hackney Carriage/Private Hire Driver's Policy, the Licensing Manager summarised the changes which had been agreed by the Council's Appeals and Regulatory Committee for implementation with effect from 1 November, 2014.

The changes covered the following issues:

- Operators to be allowed to advertise their own services on their vehicles, such as vacancies for drivers.
- Renewal applications to be accompanied by the vehicle V5 document.
- **Wheelchair accessibility** - all drivers to obtain one of the following qualifications if they are to drive a wheelchair accessible vehicle:
 - a) DSA wheelchair exercise;
 - b) An appropriate NVQ, such as:

- City & Guilds NVQ level 2, unit 228, Road Passenger Vehicle Driving (Taxi and Private Hire) (7439); or
- Perason Edexcel NVQ level 2, Road Passenger Vehicle Driving (Taxi and Private Hire) (QCF) module A/602/6061; or
- An equivalent NVQ from another provider.

c) Modules B1 and B2 of the Passenger Assistant Training Scheme (PATS).

Drivers to be given a period of six months to produce evidence they have obtained the qualification.

- **Suspension and revocation** - decisions to suspend or revoke to be made by authorised officers in consultation with the chair or vice-chair of the Appeals and Regulatory committee.
- **Length of insurance policy** - the minimum length of an insurance policy to be 3 months.
- **Test failures** - for the purpose of penalty points, the policy to apply if a vehicle is presented for test within 28 days of the previous licence having expired.
- Appeals against penalty points to be referred to the Environmental Health Manager instead of the head of service, reflecting recent organisational changes.
- The number of penalty points for smoking in a licensed vehicle to be reduced from 6 to 3.
- The use of e-cigarettes [e-cigs] in licensed vehicles to be prohibited.
- Further guidance relating to medical advice in respect of diabetes in accordance with updated DVLA guidance.

It was confirmed that information had been made available to trade representatives on the proposed changes and that there had been opportunity for them to submit comments during the consultation period, at the previous meeting, in writing or verbally.

The Council had received an indication of a desire to challenge through a judicial review the decision to set a minimum length for the period of insurance as three months, and the Council was currently taking legal

advice on this. This change had originally been suggested by some members of the trade, although it was recognised that other members were concerned that it would be unaffordable. The Licensing Manager undertook to notify drivers at the earliest opportunity if, following legal advice, it was decided to not introduce the three month minimum period of insurance from 1 November, 2014.

In respect of the wheelchair accessible qualifications, drivers would have a clear logo shown on their badge once they had qualified. It had been felt that six months was a reasonable time period for drivers to obtain a suitable qualification, noting that drivers already had a duty of care to their passengers.

17 **FEES AND CHARGES**

The Licensing Manager explained that the Council would be considering the setting of Licence and Registration fees and charges for 2015/16 during November/December. It was likely that an increase of at least 3% would be proposed, in order to enable the Council to recover the costs of providing the service.

The Licensing Manager would notify trade representatives of the proposed fees and charges once these were known, and there would be opportunity for representations to be submitted before a final decision was made.

18 **ACTIONS TAKEN BY THE LICENSING SECTION SINCE THE PREVIOUS MEETING**

The Licensing Manager submitted a brief report for information summarising key actions taken by Licensing during the previous three months. These included revocation of two driver's licences, suspension of two driver's licences, refusal by Committee of a driver's licence application and approval by Committee of a driver's licence application.

He explained that he planned to bring similar quarterly reports for information to future meetings of the Committee. These would not contain information identifying any individuals.

19 **DERBYSHIRE COUNTY COUNCIL ISSUES**

Further to Minute No. 9, Mr Tranter reported that the proposed changes in respect of taxi clearways and prohibition of waiting/loading in Chesterfield

town centre had been approved by the County Council Cabinet, excluding changes to the taxi rank on Knifesmithgate. The changes would be implemented over the next few months. He was looking at the use of finger posts to direct people to the taxi ranks, including at West Bars, and he would consult with trade representatives on how best to publicise these.

He explained that any cases of potential shared use of bus lanes by taxis would need to be considered on a case by case basis.

20 **POLICE ISSUES**

Inspector Turner provided crime figures for the period 1 July, 2014 to 30 September 2014 for the Chesterfield, Bolsover and North East Derbyshire Policing sections:-

- 15 occasions where the driver was the victim
- 1 occasion where a taxi company was the victim
- 4 occasions where a member of the public was the victim
- 2 occasions where the driver was an offender
- 1 crime was racially or religiously aggravated

Timing – 10 crimes were between 0000 hours and 0600 hours.

Violence against drivers – 1 robbery; 1 racially aggravated public order

Crime breakdown:

- 9 – making off without payment
- 4 – theft
- 2 – assault
- 1 – fraud
- 1 - robbery
- 1 – damage to vehicle
- 1 - damage
- 1 – public order

The figures showed a significant reduction in the number of reported incidents in Chesterfield since the previous quarter.

Inspector Turner referred to a campaign which he was planning to run in respect of the sexual exploitation of young people – ‘Say Something if

You See Something'. The campaign had been working with the hotel industry, and he would provide information for operators and drivers to encourage them to report any suspicious events.

In response to a question about Christmas drink driving campaigns it was agreed to enquire whether any posters or publicity information was available for operators through the Community Safety Department or multi agency group. Police Officers working in the town centre on the night time economy were briefed on working closely with partners, including taxi drivers.

21 DATES OF FUTURE MEETINGS DURING 2014/15

It was agreed that the future meetings during 2014/15 would be held on:

Wednesday, 14 January, 2015

Wednesday, 15 April, 2015

commencing at 6.00 pm.

Taxi Consultative Committee Meeting – 14 January, 2015

Plating of licensed vehicles

Introduction

This report outlines a proposal for the renegotiation of the test station contract for licensed vehicles.

Background

Chesterfield Borough Council is the licensing authority for the taxi trade in our council area and attaches conditions to the grant and renewal of vehicle licences. Amongst other things these conditions require vehicles to be tested for design, safety and mechanical condition.

All Chesterfield taxis are tested by one testing station which is based in Eckington and operated by North East Derbyshire District Council [NEDDC]. This station has been the sole provider since 2002.

The location of the testing station means Chesterfield Borough Council does not comply with the spirit of section 50 of the Local Government (Miscellaneous Provisions) Act 1976 that states vehicles should be presented for test 'at such place within the area of the council'.

Chesterfield Borough Council currently licenses 385 private hire and 150 hackney carriage vehicles with each licence lasting six months. Each of the 535 vehicles is therefore tested every 6 months; a total of 1,070 tests per year. The validity of the licence is shown by numbered plates displayed to the front and rear of the vehicle.

A new application or renewal is dependent on four factors:

1. The vehicle passes a test of its roadworthiness and compliance with council policy;
2. A valid certificate of insurance is produced;
3. A valid V5 document is produced showing the proprietor as the keeper; and
4. Payment of a fee.

After passing the test drivers return to the licensing office in Chesterfield to renew the licence and collect the new plates. Test failures are notified to the licensing section who consider the awarding of penalty points.

Key points

Selection criteria will need to be approved in consultation with the taxi trade but could include the following:

5 January 2015

1. The premises must have at least two test lanes and at least three VOSA approved testers;
2. All appointments will be made directly with the test station;
3. Testing will take place in accordance with VOSA standards and any supplementary manuals as appropriate;
4. In accordance with VOSA standards the premises must have a dedicated clean and comfortable waiting area for drivers;
5. The station must be able to carry out an agreed minimum number of tests per day between specified hours, including some weekend availability;
6. The issuing of vehicle licences, plates and associated paperwork will be included in the test fee;
7. Failures results will be emailed to licensing office on a daily basis;
8. The premises will be able to supply pass and fail information to the licensing office on a monthly basis;
9. Regular progress meetings will be held with the licensing office to assess performance and procedures;
10. Regular customer feedback information will be provided to the licensing office;
11. Any garage wishing to be considered must sign a declaration that neither the garage nor the testers have any commercial or other direct link with any taxi operator or driver attending the garage for vehicle testing.

The transfer of vehicle plating to the test station itself will provide an enhanced service for drivers and operators as they will be able to collect the licence at source. The reduction in visitor numbers to the licensing office will free up officers from service counter cover and enable more compliance work and site visits to take place. At present such work is driven by complaint and/or information.

Financial considerations

The authorisation of a garage as a taxi testing station does not imply or require any financial transaction between the council and the garage. The taxi driver or operator pays the required fee to the garage.

Policy considerations

The appointment of additional testing stations is consistent with the principles of lean review as they reduce the amount of travel for customers and provide an enhanced service by plating vehicles at source.

5 January 2015