



Please ask for Brian Offiler
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The Chair and Members of Taxi
Consultative Committee

13 October, 2015

Dear Colleague,

Please attend a meeting of the TAXI CONSULTATIVE COMMITTEE to be held on WEDNESDAY, 21 OCTOBER 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 Previous Meeting held on 15 July, 2015 (Pages 3 - 10)
4. Matters Arising on the Minutes
 - Unlicensed Drivers driving Vehicles on the Public Highway (Minute No. 11)
 - The Deregulation Act 2014 (Minute No. 14)
5. Derbyshire County Council Highways Issues
 - Use of Bus Lanes

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6. Pubwatch Scheme
 - Item raised by Ann Dickens
7. Carrying of Assistance Dogs
 - Item raised by Councillor Keith Miles
8. Actions Taken by the Licensing Team since the Last Meeting
9. Police Issues

Yours sincerely,

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

Local Government and Regulatory Law Manager and Monitoring Officer

TAXI CONSULTATIVE COMMITTEE

Wednesday, 15th July, 2015

Present:-

Representing Chesterfield Borough Council:

Councillor Caulfield
Councillor Miles
Mick Bargh
Grace Dowson
Trevor Durham
Russell Sinclair

Representing the Hackney Carriage and Private Hire Trade

Stephen Aldersley
Stephen Atkin
Jim Brookbank
Ann Dickens
Victoria Naylor (Reserve)
Mandy Shaw

Representing Derbyshire County Council

Simon Tranter

Representing Stagecoach

Shane Howarth (for Minute No. 8)
Pat Kelly (for Minute No. 8)

*Matters dealt with under the Delegation Scheme

1 APPOINTMENT OF CHAIR FOR 2015/16 COUNCIL YEAR

Councillor Miles was appointed as Chair of the Taxi Consultative Committee for the 2015/16 Council Year.

2 APPOINTMENT OF VICE-CHAIR FOR 2015/16 COUNCIL YEAR

Councillor Caulfield was appointed as Vice-Chair of the Taxi Consultative Committee for the 2015/16 Council Year.

3 SELECTION OF TRADE REPRESENTATIVES FOR 2015/16 COUNCIL YEAR

Further to the nominations made to the meeting on 15 June, 2015, it was confirmed that the representatives appointed were:

Representing Hackney Carriage Licence Holders:

Mr C Brown
Mr S Atkin
Ms M Shaw
Reserve – Ms V Naylor

Representing Private Hire Licence Holders:

Mr S Aldersley
Ms A Dickens
Mr N Suleman
Reserves - Mr J Brookbank and Mr S Kerry

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

No declarations of interest were received.

5 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Vicki Diouf, Mr C Brown, Mr S Oliver and Inspector J Turner.

6 MINUTES OF PREVIOUS MEETING HELD ON 15 APRIL, 2015

The Minutes of the meeting held on 15 April, 2015 were agreed as a true record.

7 MATTERS ARISING ON THE MINUTES

Further to Minute No. 40 Trevor Durham and Simon Tranter agreed to contact Chris Brown to arrange a walkabout with a trade representative to identify preferred locations for direction signs to taxi ranks in the town centre.

8 STAGECOACH AND THE TAXI TRADE

Shayne Howarth and Pat Kelly from Stagecoach attended the meeting to discuss issues of common interest with hackney carriage and private hire drivers and operators, with the aim of working closely together with the Police, local Councils and Parking Enforcement Officers to address issues such as violence and parking.

It was hoped that moving the bus stop on Stephenson Place would reduce the likelihood of taxis and buses obstructing each other when picking up and setting down in that area.

Where any issues arose drivers and operators were asked to note the details of these and contact Pat Kelly.

Trade representatives requested that consideration be given to allowing Hackney carriages to use bus lanes. Simon Tranter explained that each bus lane would need to be considered on its own merits, taking account of how such use would be controlled and enforced and costs involved. He agreed to investigate this further with the Police and report to the next meeting.

9 E CIGARETTES

Mandy Shaw explained that some drivers would like to be able to smoke e-cigarettes when they were alone in their vehicles and requested that the policy on this be reviewed. Trevor Durham explained that the policy had been revised to not allow the smoking of e-cigarettes in vehicles, partly to avoid normalising smoking, but that it was expected there would be further guidance from central government in 2016 on the health impacts of e-cigarettes and that the policy would be kept under review as appropriate in the light of developing evidence.

10 CONCERNS ABOUT UBER COMING TO CHESTERFIELD

Ann Dickens raised concern on behalf of operators at the prospect of the Uber mobile phone app being used for private hire bookings locally. Trevor Durham explained that any bookings, even if via Uber, for private hire had to be through a licensed operator using licensed drivers and vehicles. He was not aware of any issues arising from Uber in Chesterfield, but he asked trade representatives to report any incidents of unlicensed drivers to enable Licensing Officers to investigate and act as appropriate.

11 UNLICENSED DRIVERS DRIVING VEHICLES ON THE PUBLIC HIGHWAY

Mick Bargh raised the issue of licensed vehicles being driven to and from the test centre by unlicensed drivers, despite the policy stating that only licensed drivers should drive vehicles for testing. It was explained that this policy was based on case law and designed to ensure that licensed drivers were accountable for their vehicles, thus improving the standard of the vehicle and protecting public safety. Trade representatives felt that there were advantages of allowing a mechanic who had worked on a vehicle to take it for testing to explain any technical issues in addition to not taking the time of licensed drivers whilst the vehicle was being tested. Trevor Durham agreed for this to be given further consideration and to be reported to the next meeting.

12 ACTIONS TAKEN BY THE LICENSING TEAM SINCE THE LAST MEETING

Trevor Durham reported that during the past three months the Licensing Team had revoked one drivers' licence and that two further cases were pending appeal to the Magistrates' Court.

Enforcement staff had received update training on legislation and procedures.

A number of complaints from customers and drivers had been investigated, including allegations of over-charging (which had not been founded), and a number of fixed penalties had been issued to drivers for smoking in vehicles.

29 vehicles had failed the vehicle test, with penalty points being awarded in one case.

13 **UPDATE ON THE TEST STATION CONTRACT TENDER PROCESS**

Trevor Durham reported that clarification was awaited on the level of security required of potential providers before tenders were invited for the Test Station contract, but that it was hoped this would happen before the next meeting.

14 **THE DEREGULATION ACT 2014 - IMPLICATIONS FOR TAXIS RE. LENGTH OF LICENCE AND SUB-CONTRACTING**

Trevor Durham reported that the Deregulation Act 2015, which was due to come into force from 1 October 2015, would extend the standard duration of a hackney carriage/private hire driver's licence to three years and a Private Hire Operators licence to five years. It would also allow private hire operators to sub contract bookings to each other across licensing boundaries.

The new proposed fees would be:

- Three yearly Hackney Carriage / Private Hire Driver's Licence - £199;
- Five yearly Private Hire Operator's Licence core fee of £623, plus annual vehicle fee of £27 per vehicle.

It was further proposed to amend the Hackney Carriage and Private Hire Licensing Policy to introduce a 12 point penalty and referral to the Appeals and Regulatory Committee for non-payment of the annual vehicle fee for private hire operators.

It was noted that the proposed changes would be considered by the Appeals and Regulatory Committee, and if agreed, then advertised in the local press with opportunity for representations to be made and considered.

It was confirmed that existing safeguards would continue in respect of medical and DBS checks (three yearly) and DVLA checks (annually) and that where private hire operators sub contracted bookings to an operator in another licensing authority, the triple licence requirement for that

operator, the vehicle and the driver to be licensed by the one authority would remain.

15 **DERBYSHIRE COUNTY COUNCIL HIGHWAYS ISSUES**

Simon Tranter reported that the relocation of the bus stop on Stephenson Place had been further delayed but was due to be undertaken in the near future.

He confirmed that he would consult the Police and Borough Council further on the issue of hackney carriages using bus lanes and that any emerging proposals would have to be considered as part of capital funding bids for 2016/17.

16 **POLICE ISSUES**

Inspector Turner submitted the reported crime figures for the period 1 April, 2015 to 30 June 2015 for the Chesterfield and the Bolsover and North East Derbyshire Policing sections, totalling 20 reports, including:

- 16 occasions where the driver was the victim
- 3 occasions where a member of the public was the victim
- 1 occasion where a taxi company was the victim
- 2 occasions which were racially or religiously aggravated.

Timing – 13 crimes were between 0000 hours and 0600 hours.

Violence against drivers – 4

Crime breakdown:

- 10 – making off without payment
- 3 – theft
- 1 – assault
- 3 – public order offences
- 2 – damage to vehicle
- 1 – attempted robbery

The outcomes from investigation of these 20 reported crimes were:

- 5 – charges brought
- 3 – restorative justice

- 1 – suspect interviewed (insufficient evidence)
- 7 – investigations ongoing
- 4 – undetected.

17 **DATES OF FUTURE MEETINGS FOR 2015/16 COUNCIL YEAR**

The following dates were agreed for future meetings of the Committee in 2015/16:

Wednesday, 21 October, 2015
Wednesday, 20 January, 2016
Wednesday, 20 April, 2016

each meeting starting at 6.00 pm.

18 **GRACE DOWSON**

Trevor Durham informed the meeting that Grace Dowson was leaving the Council after 19 years' service as Licensing Officer to take up a post as Licensing Manager in another authority. Members of the Committee thanked her for her contribution to its work and the work of the Licensing team and wished her well for the future.

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