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The Chair and Members of Taxi  
Consultative Committee

18 January, 2017

Dear Councillor,

Please attend a meeting of the TAXI CONSULTATIVE COMMITTEE to be held on WEDNESDAY, 25 JANUARY 2017 at 6.00 pm in Committee Room 1, Town Hall, Chesterfield, S40 1LP, 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 the Previous Meeting held on 19 October, 2016 (Pages 3 - 8)
4. Matters Arising on the Minutes
5. Proposals for Northern Gateway Public Realm Improvements  
  
Patrick Middleton, Northern Gateway Project Manager invited to attend.
6. Licence and Registration Fees and Charges 2017/18
7. Changes to the Hackney Carriage and Private Hire Licensing Policy to be considered in the near future

8. Proposed Amendments to the Terms of Reference of the Taxi Consultative Committee (Pages 9 - 16)
9. Derbyshire County Council Highways Issues
10. Police Issues
11. Actions Taken by the Licensing Team since the Last Meeting

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, 19th October, 2016

Present:-

### Representing Chesterfield Borough Council:

Councillor K Miles (Chair)  
Councillor V Diouf  
Steve Ashby  
Trevor Durham  
Martin Key

### Representing the Hackney Carriage and Private Hire Trade:

Stephen Aldersley  
Stephen Atkin  
Ann Dickens  
Chris Naylor  
Victoria Naylor  
Mandy Shaw  
Nisar Suleman

### Representing Derbyshire County Council:

Simon Tranter

Peter Swallow, Chair, Destination Chesterfield +  
Ivan Fomin, Destination Chesterfield +  
Vic Risorto, Destination Chesterfield +  
Dominic Stevens, Destination Chesterfield +

Iain MacDonald, Vector Transport Consultancy ++

+ For Minute No. 15  
++ For Minute No. 16

## 12 DECLARATION 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 Councillor Caulfield, Chris Brown, Stephen Oliver and Inspector John Turner.

**14 MINUTES OF THE PREVIOUS MEETING HELD ON 20 JULY, 2016**

The Minutes of the meeting held on 20 July, 2016 were agreed as a true record.

**15 PROMOTING A MORE POSITIVE VIEW OF CHESTERFIELD**

Peter Swallow, Chair of Destination Chesterfield, and the representatives of Destination Chesterfield explained how Destination Chesterfield was seeking to promote a more positive image of Chesterfield and to attract businesses and visitors to come to the town and to return, emphasising that the developments planned for Waterside and Peak Resort would provide opportunities for local businesses, including the taxi trade.

Destination Chesterfield representatives reported both positive and negative experiences of using taxis locally.

It was noted that some taxi drivers had undertaken the Chesterfield Ambassadors course a few years ago, which they were then able to highlight in promoting their business.

Arising from discussion the following points were raised:

- Operators sought to maintain good standards in respect of the cleanliness of vehicles and the appearance and knowledge of drivers;
- Some individual hackney carriage drivers did not achieve the same standards in these respects;
- Some drivers coming in from outside the area did not have good local knowledge and there was some mistrust of drivers and vehicles from outside the area;
- It may be possible to improve drivers' standards if there were more potential drivers to choose from and it took less time to obtain a licence – it was noted that the application process and test had recently been amended to simplify the process whilst maintaining reasonable regulation and protection of the public;

- Clearer information for customers on how to complain about poor service could help to improve standards;
- Hackney carriages had to pay East Midlands Trains to use the rank at the railway station, but East Midlands Trains did not enforce any standards;
- Traffic management systems in the town centre made it difficult to get around;
- The physical environment between the station and the town centre was not attractive;
- It may be difficult to improve the attitudes of some long-time drivers.

It was recognised that further dialogue involving the taxi trade and Destination Chesterfield would be helpful to explore ways in which the image of the town could be improved and how the taxi trade could contribute to, and benefit from, this.

Trevor Durham agreed to discuss this further with Dominic Stevens and Mandy Shaw in order to develop an action plan for consideration at a future meeting.

The Chair thanked the representatives of Destination Chesterfield for attending the meeting.

## 16 **HACKNEY CARRIAGE UNMET DEMAND SURVEY**

Further to Minute No. 7, Iain MacDonald from Vector Transport Consultancy explained that he was undertaking the hackney carriage unmet demand survey for the Council and that this included a questionnaire of the taxi trade, camera surveys and consultation with stakeholders and the public in order to determine if there was unmet demand for hackney carriages and how significant this was, particularly taking account of the needs of elderly and disabled users.

Arising from discussion the following points were raised:

- It was confirmed that the survey would help to identify whether there were sufficient rank spaces (currently 32) and if these were appropriately located;
- The location of the night-time rank on Stephenson Place seemed to work well, but a separate location was required for day-time ranks;
- The majority of hackney carriages worked from the railway station;

- In the event of future planning proposals affecting the existing taxi rank on Elder Way, Licensing would work with the trade in order to maintain the number of rank spaces;
- The Highways Authority was in the process of making a Traffic Regulation Order to restrict vehicle access and parking above the Market Hall and New Square.

The Chair thanked Iain MacDonald for attending the meeting.

## **17 DVSA TAXI DRIVER ASSESSMENTS**

Trevor Durham explained that the Driver and Vehicle Standards Agency (DVSA) would no longer be conducting taxi driver assessments for local authorities with effect from 1 January, 2017 and that they had already stopped taking bookings.

The Council was currently considering whether a suitable alternative provider of driver tests could be identified. It was noted that in the meantime there was discretion for drivers to be issued with a temporary licence for a maximum of three months whilst awaiting a test, following the recent revisions to the policy.

## **18 DERBYSHIRE COUNTY COUNCIL HIGHWAYS ISSUES**

Further to Minute No. 8, Simon Tranter distributed plans to the three hackney carriage representatives of suggested bus lanes for use by hackney carriages. He confirmed that the current bid only related to use of bus lanes by hackney carriages, not private hire vehicles.

Simon asked the hackney carriage representatives to submit their comments to him, following which he would arrange to meet with them to discuss further.

## **19 POLICE ISSUES**

In the absence of Inspector Turner, it was agreed to defer consideration of any issues to the next meeting.

20 **ACTIONS TAKEN BY THE LICENSING TEAM SINCE THE LAST MEETING**

Steve Ashby reported that during the past three months two driver licences had been revoked.

22 vehicles had failed the six-monthly vehicle test, although it had not been necessary to issue any penalty points

The tender for the test station contract had been issued with the deadline for submissions being 21 October, 2016.

It was now possible to accommodate up to eight applicants on each written test.

Informal action had been taken to advise drivers to not turn right out of Elder Way and this would continue to be monitored.

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## Taxi Consultative Committee – 25 January 2017

### Proposed Amendments to Terms of Reference

#### **1 PURPOSE OF REPORT**

- 1.1 To propose amendments to the terms of reference of the Hackney Carriage and Private Hire Consultative Committee for consultation, with the aims of:
- Strengthening the representative role and nature of trade representatives;
  - Clarifying the nomination and appointment process for trade representatives to the Committee;
  - Reinforcing the importance of good attendance and contribution of members to meetings of the Committee.

#### **2 BACKGROUND**

- 2.1 The Hackney Carriage and Private Hire Consultative Committee was established in March 2011 as an informal consultative body for the Council and the taxi trade locally in Chesterfield.
- 2.2 Membership of the Committee comprised three hackney carriage licence holders, three private hire licence holders and three elected Members.
- 2.3 The terms of reference were amended in April 2012 to include reference to two of the places for taxi trade representatives (one from each of the hackney carriage and private hire sectors) being filled by members who represent minority ethnic members of the trade, if such nominations were made, and that if more than six trade members were nominated, then the elected Members of the Committee would decide which trade members should be appointed having regard in particular to equalities.
- 2.4 Nominations have been invited annually from trade members on a self-nomination basis, either in writing in advance or by attending an annual nominations meeting of the Committee.
- 2.5 In each of the last three years more than six trade members have been nominated, resulting in the majority of those nominated and in attendance at

the nominations meeting agreeing which six members would be appointed and proposing two reserve members (one for each of the hackney carriage and private hire sectors). In the last two years one nomination has been of a member of the trade representing minority ethnic members, and this member has therefore been appointed.

### **3 PROPOSED AMENDMENTS**

- 3.1 The process of self-nomination is potentially not entirely consistent with the principle contained within the purpose of the Committee of acting as ‘a representative body for the whole hackney carriage and private hire trade, ensuring consultation with all licence holders’.
- 3.2 One option would be to establish a system for the election of trade members from the two ‘constituencies’ of all hackney carriage licence holders and all private hire licence holders. However, this would be a time consuming and bureaucratic process for whoever would organise such an election, be that officers of the Council or members of the trade or an independent third party.
- 3.3 It is therefore proposed that each nomination should be supported by a minimum number of other licence holders (hackney carriage or private hire as appropriate), in order to demonstrate that the person nominated has the support of members of the trade. It is suggested that the support of at least ten other licence holders is a practically reasonable number.
- 3.4 The process of allowing nominations to be made at the nominations meeting can lead to uncertainty and a lack of clarity as to the number of nominations being made for each of the hackney carriage and private hire sectors.
- 3.5 It is therefore proposed that nominations be submitted in writing in advance, with the signatures of the required number of supporters as proposed in paragraph 3.3 above, including clarification of whether the nomination is as a representative of hackney carriage or private hire licence holders and whether it is as a member of the trade representing minority ethnic members.
- 3.6 Where more than six nominations of trade representatives are made, it is recognised that it is preferable for the decision on which six are appointed to be made by the trade representatives, rather than the elected Members of the Committee, if possible. However, restricting this decision to a majority of the nominated representatives present at the nominations meeting can lead to some trade members feeling dissatisfied and excluded.

- 3.7 It is therefore proposed that if more than six trade members are nominated, the unanimous agreement of all those nominated be required as to which six nominations be put forward to the Council, subject to at least two places being filled by members who represent minority ethnic members of the trade if such nominations are made. In the event of there not being unanimous agreement of all those nominated, the elected Members of the Committee would decide which trade members should be appointed having regard to achieving as wide a representation as possible from different operators and drivers and to equalities issues.
- 3.8 It is also proposed that the opportunity for appointing one reserve for each section (hackney carriage or private hire) to attend in the absence of one of the other three representatives be included.
- 3.9 The importance of members attending the meetings is recognised within the existing terms of reference. Attendance at meetings has generally been good, although concern has been expressed that if members miss ‘three consecutive meetings without good reason or sending apologies’ (the current level at which members would forfeit their place), their contribution to the Committee would be too limited.
- 3.10 It is therefore proposed that the level at which members forfeit their place on the Committee be reduced to missing ‘two consecutive meetings without good reason’.
- 3.11 The proposed changes outlined in paragraphs 3.5, 3.7, 3.8 and 3.10 above to the terms of reference are included in the draft revised Terms of Reference document attached at Appendix A.

#### **4 RECOMMENDATION**

- 4.1 That the Taxi Consultative Committee consider the proposed amendments to the Terms of Reference at its meeting on 25 January, 2017, and that the views of trade representatives be considered prior to a report being submitted to the Council’s Appeals and Regulatory Committee to decide on proposed amendments to the Terms of Reference, in order for these to be implemented for the appointment of trade representatives for 2017/18.

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## **Hackney Carriage and Private Hire Licensing Policy**

### **Schedule 6**

#### **Terms of Reference**

#### **Chesterfield Borough Council Hackney Carriage and Private Hire Consultative Committee**

##### **Purpose of the Committee**

The Consultative Committee will meet with local representatives of the taxi trade to discuss matters of mutual concern and interest relating to the licensing of vehicles, drivers and operators.

The Committee is an informal consultative body and not a decision making body (nor is it a Committee or Sub-Committee of the Council, Cabinet or of any other Council Committee) as this responsibility lies with the Appeals and Regulatory Committee or the delegated Council officer, but would be used for first stage consultation on any proposals by either the Council or the taxi trade.

Individual grievances are not issues for the Committee and should be raised with the Council on an individual basis.

The Consultative Committee will act as a representative body for the whole hackney carriage and private hire trade, ensuring consultation with all licence holders to enable the Council to make fully informed decisions.

##### **Membership of the Committee**

The Committee shall comprise of 3 hackney carriage licence holders (persons who drive or own a hackney carriage) and 3 private hire licence holders (persons who operate or drive or own a private hire vehicle) licensed by the Council and 3 elected members of the Council selected in accordance with the political balance of the Council.

Nominations for the 6 places allocated to members of the trade shall be invited annually, to be made in writing, specifying whether as a hackney carriage licence holder or private hire licence holder, with each nomination requiring the written support of 10 other licence holders (hackney carriage or private hire as appropriate).

Of the 6 places allocated to members of the trade, 2 of those places should, if nominations are made, be filled by trade members who represent minority ethnic members of the trade (one from each of the hackney carriage and private hire sections).

If more than 6 trade members are nominated for membership of the Committee, all of those nominated will be invited to consider agreeing which 6 nominations to put forward to the Council, subject to at least 2 places being filled by members who represent minority ethnic members of the trade if such nominations are made (as above). In the event of there not being unanimous agreement of all those nominated, the elected members of the Council who are members of the Committee will decide which trade members shall be appointed having regard to achieving as wide a representation as possible from different operators and drivers and to equalities issues.

There will be opportunity for appointing one reserve for each section (hackney carriage or private hire) who can attend in the absence of one of the other 3 representatives.

The Committee shall not include as a member any elected member of the Council who is a member of the Appeals and Regulatory Committee or who is a licence holder or any elected member of the Council whose spouse, civil partner, parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew or niece (including relationships by blood, marriage and civil partnership) is a licence holder. Spouse or civil partner includes a relationship of living together as if they were husband and wife or living together as if they were civil partners.

Officers of the Council will attend the Committee to advise the Committee members. In addition, officers from other organisations such as the Police, DCC (Highways) etc. may be invited to attend as necessary.

Members shall retire annually and shall be eligible for re-appointment.

Members of the Committee that fail to attend without good reason for two consecutive meetings will forfeit their place. Members must attend in person to contribute to the meetings.

The quorum for a meeting of the Committee shall be 3 members of which at least one member must be an elected member of the Council.

## **Role of Members**

To assist with representing the views of the trade as a whole and to report back to them any progress.

To assist with disseminating information to the trade to ensure that all licence holders are fully informed of the Council's policies and procedures.

### **Chairperson**

The Chairperson and Vice Chairperson of the Committee will be members of the Council, appointed annually by the Leader.

The Chairperson will ensure that all views are heard and recorded in an accurate manner.

The Chairperson will ensure that the recommendations of the Committee are forwarded to the Licensing Manager and the Appeals & Regulatory Committee.

### **Frequency of Meetings**

The Committee will meet at least four times per calendar year and at shorter intervals as deemed necessary.

### **Secretarial Support**

Committee meetings will be primarily held at the Council's Offices or at alternative venues with appropriate notice.

The Council will make arrangements to record and reproduce minutes of full Committee meetings.

Notification of each meeting of the Consultative Committee, including an agenda and minutes of the previous meeting, will be published on the Council's website and distributed to members of the Committee at least one week prior to the meeting.

### **Reporting Mechanisms**

Any recommendations from the Committee will be considered by the Council's Appeals and Regulatory Committee.

Where appropriate, the recommendation will be supported by a full report of the issues considered and the reasons for the recommendation. This may involve details of the consultation undertaken with the trade as a whole.

Once the Appeals and Regulatory Committee have considered a recommendation, a response will be sent to the Committee in the first instance for dissemination to the trade.

### **Transparency**

The Committee is expected to be open, transparent and accountable. The Committee should ensure that all interests have a voice where necessary and that hard to reach groups are engaged and represented.

### **Amendment of the Terms of Reference and Dissolution**

The power to amend the Committee's Terms of Reference is delegated by the Council to the Appeals and Regulatory Committee.

The Committee may only be dissolved by a resolution of the Council.