



Please ask for Brian Offiler
Direct Line: 01246 345229
Email committee.services@chesterfield.gov.uk

The Chair and Members of Taxi
Consultative Committee

12 April, 2017

Dear Councillor,

Please attend a meeting of the TAXI CONSULTATIVE COMMITTEE to be held on WEDNESDAY, 19 APRIL 2017 at 6.00 pm in Committee Room 3, 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 (Pages 3 - 10)

Minutes of the Meeting of the Taxi Consultative Committee held on 25 January, 2017.
4. Matters Arising on the Minutes
5. Update on Proposed Amendments to Terms of Reference of Taxi Consultative Committee (Pages 11 - 12)
6. Derbyshire County Council Highways Issues
7. Police Issues

Chesterfield Borough Council, Town Hall, Rose Hill, Chesterfield S40 1LP

Telephone: 01246 345 345, Text: 07960 910 264, Email: info@chesterfield.gov.uk

www.chesterfield.gov.uk

8. Actions Taken by the Licensing Team since the Last Meeting
9. Date of Meeting for Appointment of Representatives and of Next 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, 25th January, 2017

Present:-

Representing Chesterfield Borough Council:

Councillor K Caulfield (Chair)
Councillor V Diouf
Trevor Durham

Representing the Hackney Carriage and Private Hire Trade:

Stephen Aldersley
Stephen Atkin
Chris Brown
Chris Naylor
Victoria Naylor
Mandy Shaw

Representing Derbyshire County Council:

Simon Tranter

In Attendance:

Ibrar Hussain, GMB Representative
Mohammed Hafiz, GMB Representative

Patrick Middleton, Northern Gateway Project Manager +
Georgina Baines, PLANIT-IE +
Nick Fenton, WCEC Architects +

+ For Minute No. 24

21 CHANGE OF COMMITTEE MEMBERSHIP

Councillor Caulfield explained that following Councillor Miles' appointment to the Council's Appeals and Regulatory Committee, he had left the Taxi Consultative Committee, to be replaced by Councillor Burrows for the

remainder of the 2016/17 Council year. Councillor Caulfield had agreed to become Chair of the Taxi Consultative Committee for the remainder of the 2016/17 Council year.

22 DECLARATION OF MEMBERS' AND OFFICERS' INTERESTS RELATING TO ITEMS ON THE AGENDA

No declarations of interest were received.

23 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Burrows, Ann Dickens, Stephen Oliver and Bridget Gould.

24 PROPOSALS FOR NORTHERN GATEWAY PUBLIC REALM IMPROVEMENTS

Patrick Middleton, Northern Gateway Project Manager, outlined the current proposals for the Northern Gateway scheme, including refurbishment of the Saltergate multi-storey car park, a new enterprise centre on part of the Holywell Cross car park and public realm improvements on Elder Way and Knifsmithgate, working closely with the developers of the old Co-Op building. Funding for the scheme had been secured from the Council with a significant contribution from the Sheffield City Region Investment Fund.

Nick Fenton, WCEC Architects, and Georgina Baines, PLANIT-IE, explained that they were meeting key stakeholders, including the taxi trade, to inform their development of more detailed proposals for the scheme, taking account of how these would relate to the rest of the town centre. It was hoped to produce these proposals by June / July 2017.

Trade representatives expressed the view that day-time taxi ranks would be better positioned nearer the Market Place, which would provide more business for market traders and the taxi trade than their current position on Elder Way and Knifsmithgate. They felt that night-time ranks were currently appropriately positioned in the area for the night-time economy, and they emphasised the need for good publicity and clear signage of the location of the ranks. It was requested that access for private hire vehicles also be taken into account.

Issues in respect of parking, vehicle access and pedestrian safety in the Market Place and New Square were also being considered through the Markets Consultative Committee, it being noted that a Traffic Regulation Order was being processed to restrict vehicle access in these areas.

It was confirmed that more car parking spaces would be brought back in to use in the Saltergate multi-storey car park than would be lost for the new enterprise centre on the Holywell Cross car park.

It was explained that whilst the proposals to be developed for the Northern Gateway scheme related directly to the Saltergate / Elder Way area, issues raised during consultation may assist a wider strategic approach for the rest of the town centre.

Trade representatives were encouraged to submit any further thoughts for consideration at this stage via the Chair or Committee and Scrutiny Coordinator, and it was confirmed that the more detailed proposals would be shared with trade representatives for consultation once these had been produced.

The Chair thanked Patrick Middleton, Nick Fenton and Georgina Baines for their contribution to the meeting.

25 **MINUTES OF THE PREVIOUS MEETING HELD ON 19 OCTOBER, 2016**

The minutes of the meeting held on 19 October, 2016 were agreed as a true record.

26 **MATTERS ARISING**

Further to Minute No. 16, it was confirmed that the Hackney Carriage Unmet Demand Survey had been completed, following which the Council's Appeals and Regulatory Committee had resolved that the limit on Hackney Carriage licences should be maintained at 110 and that a further survey be undertaken in three years' time.

27 **LICENCE AND REGISTRATION FEES AND CHARGES 2017/18**

Trevor Durham confirmed that there would be no increase in Hackney Carriage / Private Hire Licensing fees and charges for 2017/18 (except a small rounding up of the charge for the knowledge test).

28 **CHANGES TO THE HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY TO BE CONSIDERED IN THE NEAR FUTURE**

Trevor Durham explained that amendments would need to be made to the Hackney Carriage and Private Hire Licensing Policy in the near future to take account of the following:

- a) The need for the licensing authority to check an applicant's right to reside (as well as to work, which was already required) in the UK in accordance with the Immigration Act 2016. This would also have to be done on each renewal for non-UK citizens. It was noted that this responsibility also applied to employers when employing staff.
- b) An alternative provider of driver assessments following the DVSA having stopped this service at the end of December, 2016. Three possible providers had been identified and a specification for them to tender for a three year contract would be issued shortly. Tenders would be evaluated taking account of price, quality and waiting times. The need to provide tests quickly, especially where existing drivers were at risk of losing their licence, would be included in the specification. Trevor Durham agreed to circulate the specification to trade representatives for comment.

It was noted that the discretion for a temporary licence to be issued for three months if there were delays in obtaining a test would remain, although new applicants were advised to arrange their test before completing their other checks.

It was confirmed that most licensing authorities required applicants to pass a driving assessment test in order to ensure a good standard of driving and public safety.

- c) Consideration of implementing online checks of the Disclosure and Barring Service (DBS) system via a mandate system, which would be cheaper and easier for drivers and operators than the current three yearly DBS renewal and would enhance public safety. If the online check identified a new conviction, the individual driver / operator would then need to obtain a full DBS certificate. It was expected that this would only be introduced at the point drivers / operators became due for their DBS renewal.

The proposed changes to the Licensing Policy, once finalised, would be submitted to the Council's Appeals and Regulatory Committee for approval.

29 **PROPOSED AMENDMENTS TO THE TERMS OF REFERENCE OF THE TAXI CONSULTATIVE COMMITTEE**

Brian Offiler presented a report on proposed amendments to the terms of reference of the Taxi Consultative Committee, including:

- The nomination of trade representatives to be supported by a minimum number of other licence holders and to be submitted in writing in advance;
- The process for trade members to unanimously agree which nominations to put forward in the event of more than six nominations being made or, in the event of there not being unanimous agreement, for the elected Members of the Committee to determine this in order to achieve as wide a representation as possible and having regard to equalities issues;
- The appointment of one reserve representative each for hackney carriage and for private hire drivers;
- The level at which members forfeit their place to be reduced to missing two consecutive meetings without good reason.

Trade representatives expressed concerns about some of the proposals, including that the suggested number of ten supporters required for each nomination may be too high. It was emphasised that the proposed changes aimed to strengthen the representative role of trade representatives.

The Chair suggested that she meet with a small number of the current representatives outside the meeting to consider the proposals further, prior to a report being submitted to the Appeals and Regulatory Committee.

30 **DERBYSHIRE COUNTY COUNCIL HIGHWAYS ISSUES**

Further to Minute No. 18, Simon Tranter reported that he had met with a representative of hackney carriage drivers to consider the use of bus

lanes by hackney carriages. He was looking at options to enhance pedestrian safety at the top of Church Way, such as relocating safety rails in the short term, with a view to proposing this bus lane for use by hackney carriages. He would proceed to the formal consultation stage on the proposals, but would take account of any proposals arising from the Northern Gateway scheme before arrangements were finalised.

31 **POLICE ISSUES**

Inspector Turner submitted the reported crime figures for the period 30 October to 31 December, 2016 for the Chesterfield and the Bolsover and North East Derbyshire Policing sections, totalling 28 reports. These included:

- 27 occasions where the driver was the victim
- 1 occasion where a member of the public was the victim
- 1 occasion where a taxi company was a victim

There had been no reports of the driver being the offender.

Timing – 18 crimes were between 0000 hours and 0600 hours.

Violence against drivers – 3 cases

The breakdown of crimes was:

- 19 – making off without payment
- 4 – damage to vehicle
- 3 – assault on a driver
- 1 – theft
- 1 – damage to taxi office

There had been no reports of sexual assault or of hate crime.

The outcomes from investigation of these reported crimes were:

- 10 – restorative justice
- 5 - suspect identified (2 charged, 1 considered with other offences, 1 investigations ongoing, 1 victim declined to prosecute)
- 2 – investigations ongoing
- 11 – undetected.

It was confirmed that cases of making off without payment were treated as crimes, with roughly half being resolved through restorative justice.

32 ACTIONS TAKEN BY THE LICENSING TEAM SINCE THE LAST MEETING

Trevor Durham reported that during the past three months one driver licence had been revoked and two drivers had been refused application by the Appeals and Regulatory Committee.

A discrepancy had been found on the clocks of some hackney meters and time had been given to rectify the faults. Further checks would be undertaken.

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

This page is intentionally left blank

Taxi Consultative Committee – 19 April 2017

Update on Proposed Amendments to Terms of Reference

1. Background

1.1 Further to consideration of the proposed amendments to the terms of reference for the Taxi Consultative Committee at its meeting on 25 January, 2017, the Chair subsequently met with Mandy Shaw and the Democratic and Scrutiny Officer to consider the proposals further.

1.2 As a result of the discussions, two changes are being suggested to the proposed amendments:

- That if more than six trade members are nominated, the **majority** (rather than 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.
- That the appointment of trade representatives be for a period of **two years** (rather than one) to facilitate greater continuity.

2. Revised Proposed Amendments

2.1 The other amendments would remain as detailed in the report submitted to the 25 January meeting, and these are detailed below, including the two above changes:

- a) 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.
- b) That nominations be submitted in writing in advance, with the signatures of the required number of supporters (as proposed 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.

- c) That if more than six trade members are nominated, the agreement of the majority of 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 majority 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.
- d) 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.
- e) That the level at which members forfeit their place on the Committee be reduced to missing ‘two consecutive meetings without good reason’.
- f) That the appointment of trade representatives be for a period of two years (subject to them not forfeiting their place as detailed above).

3 Recommendation

- 3.1 That the Taxi Consultative Committee consider the revised proposed amendments to the Terms of Reference at its meeting on 19 April, 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 in June 2017.