



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

The Chair and Members of Taxi
Consultative Committee

17 October, 2018

Dear Councillor,

Please attend a meeting of the TAXI CONSULTATIVE COMMITTEE to be held on WEDNESDAY, 24 OCTOBER 2018 at **5.00 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 4 July, 2018 (Pages 3 - 6)
4. Matters Arising on the Minutes
5. Police Issues
6. Derbyshire County Council Highways Issues
7. Proposed Amendments to Hackney Carriage and Private Hire Licensing Policy (Pages 7 - 8)
8. Review of Licence and Registration Fees 2019-20 (Pages 9 - 12)

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

9. 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, 4th July, 2018

Present:-

Representing Chesterfield Borough Council:

Councillor K Caulfield (Chair)
Steve Ashby
Stephen Oliver
Ian Waller

Representing the Hackney Carriage and Private Hire Trade:

Jim Brookbank
Ann Dickens
Mandy Shaw

Representing Derbyshire County Council:

Simon Tranter

Representing Derbyshire Police:

Inspector Dave Nicholls

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

No declarations of interest were received.

2 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors J Burrows and V Diouf, David Madin and Trevor Durham.

3 POLICE ISSUES

Inspector Nicholls presented the reported crime figures for the period 1 April to 30 June, 2018 for the Chesterfield and the Bolsover and North East Derbyshire Policing sections, totalling 31 reports, which included:

- 19 – making off without payment
- 4 – damage to vehicle
- 3 – assault on driver
- 2 – robbery
- 2 – public order
- 1 – assault by driver

It was noted that there had recently been two cases in North East Derbyshire of money being stolen from drivers.

4 MINUTES OF PREVIOUS MEETING HELD ON 18 APRIL, 2018

The Minutes of the meeting held on 18 April, 2018 were agreed as a true record.

5 DRAFT ANNUAL REPORT - TAXI CONSULTATIVE COMMITTEE - 2017/18

The Committee considered the draft annual report of the Taxi Consultative Committee for 2017/18, which provided information on the meetings of the Committee held and issues considered during the year.

It was agreed that the annual report be approved and submitted to a future meeting of the Council's Appeals and Regulatory Committee.

6 DERBYSHIRE COUNTY COUNCIL HIGHWAYS ISSUES

Further to Minute No. 33, Simon Tranter reported that the County Council Cabinet Member decision on 26 April, 2018 had approved an 18 months experimental period for the use of bus lanes by hackney carriages. Orders had been placed for the necessary electrical and signage work, which it was hoped would be completed by September, 2018. The experimental period could be ended earlier than 18 months if problems arose, but if it proved successful, it would become a permanent arrangement at the end of 18 months.

He confirmed that once further details had been received from the developer in respect of proposed loading bays and taxi ranks on Elder Way, detailed proposals for the taxi rank in the longer term on Knifsmithgate would be prepared and comments would be invited at that

stage. Trade representatives emphasised the need to take account of the availability of taxi ranks near the town centre shopping area.

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

Steve Ashby reported that further amendments to the taxi policy were being considered, covering:

- Electronic knowledge tests;
- Removal of the need for references;
- Modification of terminology used in the dress code in light of recent advice from the government's equality office;
- Amendment to the exclusion period for those with convictions to fall in line with national guidance recently published by the Institute of Licensing and supported by the government - exclusion periods to run from the end of the sentence instead of the date of conviction;
- The payment of an application fee, to be deducted from the full fee if successful;
- Requiring private hire drivers to notify the Council of which operator they are working for.

Once formulated, the amendments would be subject to consultation.

During the previous three months one driver's licence had been revoked and five drivers had been suspended for failing to attend child sexual exploitation (CSE) awareness sessions. CSE awareness sessions for new applicants would be delivered jointly with North East Derbyshire and Bolsover from August, alternating between the town hall and NED's offices at Wingerworth.

20 vehicles had failed their test, with penalty points being issued on only one occasion.

Due to the increase in taxi numbers (20% over last 3 years) the licensing section would shortly be recruiting additional staff - $\frac{1}{2}$ post enforcement, $\frac{1}{2}$ post officer and $\frac{1}{5}$ post assistant.

Trade representatives expressed concern at the length of time for new drivers to become licensed, resulting in some operators using drivers licensed in other authorities to fulfil contracts. Steve Ashby explained that the DBS, medical, knowledge and driving tests were necessary in order to

ensure public safety and that electronic knowledge tests would increase the availability of tests. He confirmed that a three month temporary licence could be issued if an applicant had a long wait for a driving test and that applicants from abroad had to produce a certificate of good conduct from the previous country.

8 TIME OF FUTURE MEETINGS

It was suggested that future meetings of the Committee commence at 5.00 pm, which was agreed subject to consulting those members not present.

Licensing Section,
Customer Service Centre
85 New Square
Chesterfield
Derbyshire S40 1AH

E-Mail: licensing@chesterfield.gov.uk

TO ALL DRIVERS,
PROPRIETORS AND OPERATORS

Please ask for
Direct Line 01246 345230
Fax 01246 345235
Our Ref
Your Ref

Date 17 October 2018

Dear Sir / Madam,

The DBS Update Service and Amendments to Policy

DBS

A reminder that subscriptions to the DBS update service last for one year and must be renewed to remain valid. In particular, where you have chosen automatic renewal and received a replacement bank card you must update the DBS with the new card details or the renewal will fail and you will have to obtain a new DBS certificate, at extra cost.

Amendments to policy

It is necessary, from time to time, to update the council's Hackney Carriage and Private Hire Licencing Policy. On Wednesday 10 October 2018 the Appeals and Regulatory Committee approved a series of amendments to the policy, outlined below.

These amendments are subject to a period of consultation until **Friday 16 November 2018**. If you have any comments or observations please contact the licensing office by the following means:

Telephone - 01246 345230

Email - licensing@chesterfield.gov.uk

Letter – Customer Service Centre, 85 New Square, Chesterfield, S40 1AH.

a) National Anti-Fraud Network (NAFN)

The council intends joining the national database of taxi/private hire revocation and refusals that has been established by NAFN, the aim of which is to enable licensing authorities to share information that will assist in determining the suitability of applicants. The database includes historical cases, estimated to be in the region of 25 for Chesterfield.

b) Conviction policy

In line with recent advice from the Institute of Licensing, the exclusion period following conviction during which an application will be refused will change from date of conviction to the date any sentence imposed was completed.

c) Knowledge tests

The process of knowledge tests will change to multiple-choice options on a computer programme, increasing the availability from 8 a week to 25 and halving the cost as just one test will be taken.

d) Payment for initial application

An increasing number of applicants are exercising their right to plead their case before the committee when officers have refused their application due to previous convictions. It is proposed to charge all applicants an initial fee of £66 to cover their application; if granted the £66 is deducted from the outstanding balance, if refused it is not refunded.

e) Inform council of operator

Following difficulties experienced with some investigations private hire drivers must notify the council of the operator they are driving for. Failure to do so may attract an award of 3 penalty points.

f) Code of conduct

Has been amended to reflect recent advice from the government's equality office that while dress codes do not have to be identical the standards imposed should be equivalent. For example, instead of prohibiting 'short skirts' the policy now states that 'shorts and skirts must be at least knee length'.

g) Financial reference

Has been replaced by a self-declaration form following the reluctance of banks to issue them.

Yours faithfully,



Trevor Durham
Licensing Manager

REVIEW OF LICENCE AND REGISTRATION FEES 2019/20 (A000)

MEETING: APPEALS AND REGULATORY COMMITTEE

DATE: 24 OCTOBER 2018

REPORT BY: LICENSING MANAGER

WARDS: ALL

1.0 **PURPOSE OF REPORT**

1.1 To seek approval for revised licence and registration fees for 2019/20.

2.0 **BACKGROUND**

2.1 In accordance with the Council's financial regulations it is necessary for all fees to be annually reviewed.

2.2 The services relate to the regulation, control and administration of the following areas:

- Private Hire and Hackney Carriage fees;
- Scrap Metal collectors and sites;
- Miscellaneous licensing fees.

2.3 Fees for the Licensing Act 2003 are set nationally and cannot be altered by the Council.

2.4 Fees under the Gambling Act and for sexual entertainment venues are considered by the Licensing committee.

2.5 Members are reminded that these are statutory services and as such are not subject to market forces. The Council has discretion about the setting of fees.

3.0 **SCOPE**

- 3.1 In line with council policy a 3% increase is suggested for all fees and charges. A summary of proposed fees is provided at Appendix A which sets out the fees and charges that were agreed in 2016/17 and the proposed increase; the figures have been rounded up or down to assist with cash handling.
- 3.2 At present these budgets have averaged out to the point where there is no material subsidy either way. A 3% increase will maintain that position.
- 3.3 These fees and charges have not been increased for two years.

4.0 **EXCEPTIONAL ITEMS**

- 4.1 On 30 November 2016 this committee decided to retain the limit of 110 hackney carriages. The committee also decided to commission another unmet demand survey in 2019, the survey to be funded by hackney carriage licence holders, for which licence holders are charged £10 at each six month renewal.
- 4.2 The consumable licensing items are subject to price changes by our supplier. Appendix A shows the costs recharged on the current stock but prices will be adjusted when suppliers alter the costs to us.
- 4.3 A comparison of fees within Derbyshire authorities will be available at the meeting.

5.0 **FINANCIAL IMPLICATIONS**

- 5.1 A 3% increase will enable the council to provide these services as close to cost neutral as possible.

6.0 **RECOMMENDATION**

- 6.1 Approval is given to a 3% increase in fees and charges from 1 April 2019.

DRIVERS			
Licence type	Current fee	With 3% increase (rounded)	Notes
Application	205	211	
Renewal	205	211	
Written test	46	47	Will be replaced by one computer-based test at £40
Driven test	46	47	
Contract driver	31	32	
Executive hire new application	66	68	
Executive hire renewal	59	61	
DBS disclosure	26	27	
Badge holder	4	4	At cost from supplier
Replacement badge	4	4	At cost from supplier
Lanyard	1	1	At cost from supplier
Badge holder - dashboard	1	1	
VEHICLE			
New application - Private Hire	146	150	
New Application - Hackney Carriage	146	150	No new applications anticipated due to limit set on hackney licences
Hackney survey fee	10	10	Tri-annual survey, paid on renewal.
Renewal Private Hire	102	105	
Hackney Renewal	102	105	
Front plate	9	9	At cost from supplier
Rear plate	11	11	At cost from supplier
Transfer	13	14	
Change of details	13	14	
Duplicates	1	1	Reduction in fee
OTHER			
Flexi plate front	3	3	At cost from supplier
Flexiplate rear	5	5	At cost from supplier

Licence type	Fees 2014-15	Rounded fee +3%	Notes
Key/button set	2	2	At cost from supplier
Extension brackets	8	8	At cost from supplier
Q/L pouch	2	2	At cost from supplier
Back rear bracket	7	7	At cost from supplier
Back rear bracket kit	2	2	At cost from supplier
2XQ/L replacements	2	2	At cost from supplier
Dash pouch	2	2	At cost from supplier
Dash card	2	2	At cost from supplier
ABO signs	5	5	At cost from supplier
Security key	25p	25p	At cost from supplier
High bond pad	2	2	At cost from supplier

OPERATORS

Fee	642	661	5 year licence
plus per vehicle	28	29	
vehicle test	60	60	Not CBC income
Retest – within 10 days	15	15	Not CBC income
Retest – after 10 days	35	35	
Limousine test	25	25	Not CBC income

Scrap Metal

Licence Type	Fees 2015-16	Rounded fee for +3%	Notes
Site licence (3 yearly licence)	424	437	
Collectors licence (3 yearly licence)	178	183	
Addition of new site	212	218	
Change of site manager	12	13	
Add person to a site licence who has not previously been checked.	69	71	