

TAXI CONSULTATIVE COMMITTEE

Wednesday, 20th July, 2016

Present:-

Representing Chesterfield Borough Council:

Councillor K Miles (Chair)
Councillor K Caulfield
Steve Ashby
Trevor Durham
Stephen Oliver

Representing the Hackney Carriage and Private Hire Trade:

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

Representing Derbyshire County Council:

Bridget Gould
Simon Tranter

Representing Derbyshire Constabulary:

Inspector John Turner

1 **CONFIRMATION OF SELECTION OF TRADE REPRESENTATIVES
FOR 2016/17 COUNCIL YEAR**

Further to the nominations made to the meeting on 20 June, 2016, it was confirmed that the representatives appointed were:

Representing Hackney Carriage Licence Holders:

Mr S Atkin

Mr C Brown
Ms M Shaw
Reserve – Mrs V Naylor

Representing Private Hire Licence Holders:

Mr S Aldersley
Ms A Dickens
Mr N Suleman
Reserves - Mr C Naylor

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

No declarations of interest were received.

3 APOLOGIES FOR ABSENCE

An apology for absence was received from Mandy Shaw.

4 MINUTES OF PREVIOUS MEETING HELD ON 20 APRIL, 2016

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

**5 PROPOSALS ON USE OF NON-CHESTERFIELD HACKNEY
CARRIAGES AS PRIVATE HIRE VEHICLES**

Further to Minute No. 42, Trevor Durham presented a draft report proposing amendments to the Hackney Carriage and Private Hire Licensing Policy in respect of non-Chesterfield hackney carriages being used as private hire vehicles within the controlled district of Chesterfield Borough Council together with subsequent changes to the requirements for new drivers and a trade proposal to defer Driving Standards Agency (DSA) driving tests, and of training in child sexual exploitation (CSE).

The proposed amendments aimed to safeguard public safety while balancing the requirements for Chesterfield drivers against those from other authorities.

The draft report set out the background to the proposed amendments arising from non-Chesterfield hackney carriages operating as private hire

vehicles within the controlled area of Chesterfield Borough Council. It was confirmed the Council had no enforcement powers over such non-Chesterfield vehicles and drivers unless a criminal offence was committed.

Most of the non-Chesterfield hackney carriages were licensed by Rossendale Borough Council, which had now introduced an 'Intended use Policy' requiring applicants for a new hackney carriage vehicle licence to use the vehicle predominantly in the Borough of Rossendale and to be resident within 30 miles of the council boundary. Licensing officers had developed an information sharing system with their Rossendale colleagues where there was clear evidence of a hackney carriage working predominantly outside Rossendale to enable Rossendale to consider revoking the licence.

Some private hire operators had argued that the more stringent requirements to be met by applicants for a combined hackney carriage and private hire driving licence in Chesterfield forced them to recruit drivers licensed by other authorities.

The draft report set out a number of options to address this, including:

- A voluntary code of conduct for private hire operators to take responsibility for the behaviour of non-Chesterfield hackney carriage drivers while working locally on a private hire basis (attached as Appendix A to the draft report);
- Having separate private hire and hackney carriage driving licences, with a simplified practical test of geographical knowledge but not a written geography test for private hire drivers. Private hire drivers would then only be eligible to drive private hire vehicles, not hackney carriages. The application process for hackney carriage drivers would remain the same and a hackney carriage licence would allow the holder to drive both hackney carriages and private hire vehicles. It was confirmed that a private hire driver would only need to pass the additional written geographic test in order to convert to a hackney carriage driver's licence.

Mandy Shaw had suggested that provision be made to issue a temporary licence for a maximum of three months to allow time for the DSA test to be taken, and the draft report proposed that this should be at the discretion of officers based on the availability of a test, the efforts of the

driver or operator to obtain a test date and the driving history of the applicant and not based on the inability of the applicant to pass the test.

A training package on child sexual exploitation (CSE) awareness had been developed and was being delivered to taxi drivers, with the issue also being incorporated into the knowledge test for new applicants, and the draft report proposed that this training should be mandatory with a sanction of 12 penalty points and referral to the Appeals and Regulatory Committee where drivers failed to attend within a reasonable time period without reasonable excuse.

The draft report included recommendations on the proposed amendments to the Hackney Carriage and Private Hire Licensing Policy, which would be considered by the Appeals and Regulatory Committee in August.

6 DBS CHECKS UNDERTAKEN BY DERBYSHIRE COUNTY COUNCIL FOR SCHOOL CONTRACTS

Trevor Durham presented a report regarding Disclosure and Barring Service (DBS) Checks undertaken By Derbyshire County Council (DCC) for School Contracts.

Drivers licensed by Chesterfield Borough Council (CBC) to drive hackney carriage and private hire vehicles were required to submit a valid Enhanced (DBS) check on application and then every three years. Such checks could be transferred from other authorities if they were obtained for a similar purpose, were less than three months old and could be verified to the Council's satisfaction.

The Council had recently become aware that DBS checks obtained via DCC for school contract work were not to the same security standard as CBC checks as information on 'barred lists' was not being requested.

CBC Licensing would therefore be advising drivers that it was no longer possible to transfer DBS checks from DCC, unless it was clear that the DBS check had included information from the 'barred lists' and identified that there were 'none recorded'. It was confirmed this would apply for existing drivers once their DBS check was due for renewal.

7 HACKNEY CARRIAGE UNMET DEMAND SURVEY

Trevor Durham reported that as it was three years since the previous survey of unmet demand for hackney carriages, the Council was currently tendering for a consultant to undertake another survey later this year. Following the survey a report would be submitted to the Appeals and Regulatory Committee to consider whether the limit on the number of hackney carriage licences issued should be reviewed.

An update on how the survey was progressing would be provided to the next meeting of the Taxi Consultative Committee.

8 DERBYSHIRE COUNTY COUNCIL HIGHWAYS ISSUES

Further to Minute No. 43, Simon Tranter reported that he would consult with trade representatives in order to develop detailed proposals for the use of bus lanes by hackney carriages. It was suggested that he meet with the three representatives of hackney carriage licence holders on the Committee before the next meeting to consider the circumstances of each bus lane and for the representatives to submit their written comments and reasons to Simon.

In response to questions from trade representatives it was confirmed that the capital programme bid currently approved related to allowing the use of bus lanes only by hackney carriages, not private hire vehicles, on the grounds of road safety. Simon agreed to discuss this further with Steve Aldersley.

It was noted that, following further consideration at the Taxi Consultative Committee, final recommendations to the Highways Authority would take account of the outcome of consultation with trade representatives, statutory bodies and other road users (such as bus companies and cyclists), the experience of schemes in other towns and traffic management and road safety issues.

9 POLICE ISSUES

Inspector Turner submitted the reported crime figures for the period 1 April to 30 June, 2016 for the Chesterfield and the Bolsover and North East Derbyshire Policing sections, totalling 22 reports, which was a significant reduction from the previous quarter (32 reports). These included:

15 occasions where the driver was the victim
5 occasions where a member of the public was the victim
2 occasions where the driver was an offender
2 occasions which were racially or religiously aggravated
1 occasion where the driver was a suspect

Timing – 14 crimes were between 0000 hours and 0600 hours.

Violence against drivers – 1 case

The breakdown of crimes was:

11 – making off without payment
5 – damage to vehicle
2 – sexual assault
1 – theft
1 – assault in taxi office
1 – hate crime in taxi office
1 – assault on a passenger by another person

The outcomes from investigation of these reported crimes were:

4 – restorative justice
7 - suspect identified (1 charged, 4 investigations ongoing, 2 insufficient evidence)
2 – investigations ongoing
9 – undetected.

An exercise had been undertaken by the police with licensing in June, when a total of 34 vehicles had been checked. Although six vehicles were prohibited, all major faults were rectified on the night, and the general quality of vehicles in Chesterfield was commended.

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

Steve Ashby reported that during the previous three months one driver had been suspended.

Further training sessions on child sexual exploitation had been held in June, following which the training was being revised to make it of greater relevance for tax drivers.

28 vehicles had failed their test, with penalty points being issued on one occasion. Penalty points and warning letters had also been issued in respect of the six vehicles prohibited during the exercise with the police. It was confirmed that any faults identified on vehicles licensed in Rossendale were identified to the drivers and reported to Rossendale if significant.

Invitations to tender for the test station contract were due to be invited in September. It was noted that contracts could be awarded to more than one station if appropriate and if within a reasonable distance of the town.

The application process for a driver's licence was being revised to require an applicant to only have to retake the paper they had failed, not the papers they had already passed.

The three Elected Members of the Committee had accompanied officers on the evening of Saturday 2 July for a look at the night time economy. The Members thanked the trade representatives for their cooperation and commended the trade for the level of service observed.

11 **DATES OF FUTURE MEETINGS FOR 2016/17 COUNCIL YEAR**

The following dates were agreed for future meetings of the Committee in 2016/17:

Wednesday, 19 October, 2016

Wednesday, 18 January, 2017

Wednesday, 19 April, 2017

each meeting starting at 6.00 pm.