

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.