

CANNOCK CHASE DISTRICT COUNCIL

HACKNEY CARRIAGE AND PRIVATE HIRE LIAISON GROUP

Minutes of meeting held at 11.00 on Wednesday 5 November 2014
Civic Centre, Beecroft Road, Cannock, WS11 1BG

Members of the Liaison Group (Councillors)

Cllr Carl Bennett, Portfolio Leader for the Environment (Group Chair)*

Cllr Maureen Freeman, Vice Chair of Cannock Chase Council, (Group Vice Chair)*

Members of the Liaison Group (Officers)

Steve Shilvock CCDC*

David Prosser-Davies CCDC*

Sean O'Meara CCDC*

Jason Salter CCDC*

Elected representatives of the Hackney Carriage/Private Hire Trade

Terrance Hurley*

Samantha Payne*

Victor Simonczyk*

Steven Toy*

Kendal Tranter*

Martin Hammond*

Patricia Taylor*

Steven Holroyd **

(*) Present (**) Apology

No apologies were received from Mr Harry Griffiths

Introductions & welcome

Cllr Bennett said he believed that the Hackney Carriage and Private Hire Liaison Group (The Group) had made a very good start and had provided a good foundation to build on. He informed the group that we had a mixed agenda and some good Terms of Reference for guidance.

Minutes of the last meeting

Were agreed. There were no matters arising.

DVSA Driving Tests.

Mr Prosser-Davies advised the Group that we were aware that 12 new drivers had been licensed since June 2014 and all had passed the Driver & Vehicle Standards Agency Taxi Test. He said that the need to take the test was sending the message that CCDC drivers were required to reach a good standard of driving before they were licensed and that taxi driving was no longer a job of last resort.

Concerns were raised about the length of time the test takes and the increase of the overall cost of licensing.

Mr Prosser-Davies confirmed that those who already had a pass certificate or an equivalent qualification would not be asked to take the test.

Mr Simonczyk asked if those with a clean licence might forgo the test but Mr Prosser-Davies highlighted the difference between normal driving standards and differing roles and demands that being a taxi driver requires.

Mr Hurley asked about the difference in the time it takes to licence drivers from last year and Mr Hammond said that he had one driver who took 8 months to licence.

Ms Payne said that 2 of their drivers had failed the test and the re-test time can be several weeks.

It was agreed that the Licensing Unit look into the matter. **(Action SOM)**

Mr Hammond asked if the test could be taken within 6 months of granting a licence but it was agreed that this would be difficult to administer and enforce and not in the best interests of the public. Mr Toy raised concerns about it being another barrier to entering the trade. He said that taxi driver numbers are falling across the country.

Mr Prosser-Davies noted the concerns raised and said that the issue would be revisited after a reasonable period had elapsed. **(Action DPD).**

Disclosure & Barring Service

Mr Prosser-Davies informed the group that we now had a new provider for new applicants who require a DBS Enhanced Disclosure. He said that there is an average turnaround of 48 hours from application to production of the disclosure. New applicants will take their identity documents to the Post Office. There is a list of Post offices given within the online application form.

Licence Fees

Mr Prosser-Davies informed the group that there will be no increase generally in licence fees for 2015/2016. He did however say that with the introduction of a new 5 year Private Hire Operators Licence, the fees for this would have to be advertised in the near future.

Mr Toy questioned the cost of the vehicle licences and Mr Shilvock confirmed that are fees are charged on a cost recovery basis. He said we had gone through a significant fees calculating process earlier this year and this is an ongoing process.

Wheelchair Accessible Vehicles (WAV).

Cllr Bennett explained that the Council would like to explore the issue of WAV's and that he would like members of the group to assist in this process.

Mr Shilvock elaborated and said that we wanted to look at all elements of how best to transport less able travellers and this may be achieved by licensing a variety of vehicle types. He says he also wanted us to look at what vehicles we already have in the existing fleet, how best to use these existing vehicles and whether there was a shortage of accessible vehicles.

Mr Toy said that the change of policy to permit rear loading vehicles had now made it easier for the trade but there was still room for improvement.

It was agreed that Mr O'Meara and Mr Salter set up a Task & Finish Group (T&F) to look at the whole issue of WAV's. The idea is to help formulate policy on the matter. This T&F group would involve all members of the wider group if they wished to engage. It was also agreed that we would co-opt members to the T&F group if necessary. **(Action SOM/JES).** Mrs Taylor arrived at 11.50hrs.

Investigative Procedures.

Mr Toy asked for this item to be put on the agenda and he raised concern that drivers who were alleged to have caused problems were not being made aware of that fact until sometime afterwards. He believes that no more than 7 days should elapse from the date of complaint to the driver being notified.

Mr O'Meara said that he agreed that drivers should be notified quickly and within the past few weeks drivers had been notified of an alleged offences on the same day.

Mr Toy also said that he was of the understanding that it would now be sufficient for drivers to be able to write to the Licensing Unit instead of attending a PACE interview. He said that he would never himself attend a PACE interview.

Mr Shilvock said that although at times it may be appropriate for drivers to provide a written submission, some matters were more complex and it was not always appropriate for written submissions to be made. Sometimes a two way conversation is necessary in order to get to the bottom of the problem and this can only be achieved by interview. There have been several occasions where complaints against drivers have been dismissed through discussion in a PACE interview.

Determining whether licensing matters are applicable to individuals or of a more general nature

Mr Toy referred to a telephone conversation he had had with Cllr Bennett and raised concern that during it, a general issue was masked as an individual issue and he was told therefore that the matter was not for discussion.

Mr Shilvock said that he was aware that the said matter was the subject of an appeal to the Magistrates' Court and because a legal process was in place, it could not be for general discussion. He added that the matter was in the hands of the Council Solicitor and was not being dealt with by officers. Any discussion or negotiation would have to be conducted via the Council's legal department.

Issues of Fitness and Propriety.

Mr Toy expressed concern that non recordable offence were being used as a basis for referring drivers to the Council's Licensing & Public Protection Committee (L&PPC).

There was a short discussion about drivers' fitness and propriety and Mr Prosser-Davies confirmed that both attitude and behaviour were relevant. Mr Toy questioned why they were relevant.

Mr Shilvock explained ultimately it was at the discretion of the L&PPC, with guidance from the Council solicitor, what they took into consideration. If the L&PPC thought that officers were wasting their time then they would most certainly have advised us accordingly. To date, they have not done so.

The role of the Trade in determining licensing policy

It was agreed that this matter had been dealt with previously during the meeting however Mr Toy did want to know whether the trade would be involved in discussions relating to policy and in particular, any compellable distance discussions.

Mr O'Meara advised that if the issue of compellability was subject to debate then the trade would be involved. If the compellable distance was determined by legislation then there would be no need for such debate.

The Resolving perceived conflicts of interest

Mr Toy said that he was concerned that there was a perceived conflict of interest between the trade and the Council and he did not believe that this was so.

He said he accepted that high standards were appropriate for all but had a question over whether some of our new conditions were reasonably necessary.

- Mr Toy said that he was concerned about "latent unmet demand" He explained that this was not unmet in the sense that there were not enough taxis to cope with demand, but in the sense that people were not ringing for taxis in the first place because they knew they would not get one.
- Mr Hurley said that he had asked about Rugeley drivers being able to take their paperwork into the Rugeley office. Mr Prosser-Davies said this had been looked into this matter but there was an issue with ensuring that the paperwork reached the Licensing Unit in good time.
- Mr Prosser-Davies reminded the group that for a trial period application can now be made without payment. Non cash payment can be made upon collection of the licence.

The meeting finished at 12.40hrs.

Date of next meeting: Wednesday 4 February 2014 at 11.00am at the Civic Centre, Beecroft Road, Cannock.