

## MINUTES OF HACKNEY CARRIAGE FORUM HELD ON TUESDAY 20 JULY 2010

ITEM		ACTION
	<p>In attendance: -  <u>Leeds City Council</u>            John Mulcahy – Head of Licensing &amp; Registration            Martino DePlacido – Operations Manager            Martyn Johnson – Licensing Manager            Terry Bland - Enforcement Officer            Joanna Mingham – Service Development Officer            Alison Calvert – Temporary Management Support Officer (Secretary)</p> <p><u>Hackney Carriage Associations:</u>            M Sabar – City Cabs            Javed Akhtar – Streamline/Telecabs - LTOA            Michael Utting – Telecabs/Streamline – LTOA            Andy Howard – Streamline/Telecabs            Khaliq Ahmed – City Cabs – LAPTA            Quadir Hussain – Eurocabs - LITDA            Mr Landau – UniteLeeds – item 2 only</p>	
1.0	<p><b><u>Welcome &amp; Introductions</u></b></p> <p>John Mulcahy thanked everyone for attending and advised that Mr Landau from UniteLeeds would be in attendance for item 2 only as it had raised this with the Section.</p>	
2.0	<p><b><u>Q &amp; A session at Civic Hall</u></b></p> <p>JM advised that this had come about following a request from Mr Landau and UniteLeeds and therefore Mr Landau had been invited to attend the meeting today to take part in any discussion on this item.</p> <p>JM advised the meeting that the drivers had requested a session be held in September and that Operators had requested a session in October. The dates available for the September session were 16<sup>th</sup>, 20<sup>th</sup> and 28<sup>th</sup> September. After discussion the 28 September was chosen as the preferred date. JM advised that the Section would need to manage the attendance and that this would be on a first come first served basis due to the capacity of the Banqueting Hall. JM advised</p>	

that Councillor Armitage the new Head of the Licensing Committee would Chair this session. JM advised that following discussion at previous meeting a range of Officers from different Council Sections would be invited to attend, so that a good representation of Officers would be available to answer any questions. Discussions took place on who should be invited to attend and it was agreed that someone from Highways, Police, Parking Services, Andrew Hall from Transport Policy. The format of the meeting would be that Councillor Armitage would do an introduction and that each Officer from each section/department would do a small presentation before the Q & A session.

The possibility of vehicle suppliers was mentioned in earlier discussion but JM & MD advised that as yet no supplier had been in touch.

Mr Landau left the meeting.

### **3.0 Minutes of Last Meeting**

JM advised that as the meeting at not seen the minutes prior to the meeting that a period of 1 week would be given for any feedback/changes to the minutes.

(Post meeting note – no feedback/changes advised therefore the minutes are agreed as an accurate record)

### **4.0 Action points from the last meeting**

MD advised the meeting that discussion were underway and it was hoped that the Enforcement Team would be in attendance at Elland Road on Match Days.

Network rail – JM advised that no feedback had been received from Cllr Feldman with regard to the comments made at a meeting with Network Rail. It was agreed that this would be discussed at the next JTC and if this was to be taken further by JM the JTC were to let him know.

**JTC**

Short stay car park – JM agreed that this would be put on the agenda for the next private Hire Forum.

**JM/AC**

A Metro – MD advised that complaints had been received from A Metro drivers that Parking Services were issuing parking tickets. MD advised that the Enforcement Team would continue to monitor this.

Leeds Central Cars – MD advised that they were not now operating from Crown Street as their Planning permission had expired. No other application had been received by Planning. MD agreed to monitor the situation. MD advised that Taxi & Private Hire Licensing would be consulted should another planning application be received.

### **Agenda items**

### **5.0 Traffic Management System for the Train Station rank.**

The size of the signs was discussed. The size being 400mm square. JM advised that at the moment Keith Darch was on leave but that on his return the Section would enquire whether Planning permission was needed.

JM

Discussion then turned to the funding of the scheme. In the previous meeting it had been agreed that the Section and the JTC would each fund the scheme 50:50 to get the scheme up and running. A quote of £45 – 50,000 had been given by Gordon Robertson. The JTC were to discuss this later on in the week and would report their decision to JM or MD. The Trade asked why TPHL could not put in the £15,000 they had agreed to put into the Scheme with the rest of the required deposit to get the scheme up and running being met by the JTC. MD advised that this was a joint venture and that a 50:50 split was a fair and equitable. The JTC advised that it is going to take some time to collect the money from their members and in the meantime they had to pay for marshals. JM advised the meeting that TPHL will ensure that the scheme progresses as quickly as they are able. Mike Utting advised that a meeting of the JTC was being held that Thursday when full discussions on this subject will take place. MD advised that 50% of the quote is needed by Gordon Robertson to start the Scheme.

JTC

After discussion on the costs and the percentage split for the start up of the scheme, the JTC proposed an initial 25% to start up the Scheme. JM agreed to approach Gordon Robertson with this proposal, if this was agreed to by Gordon Robertson it may mean that the JTC would have to sign an agreement. It was agreed that at the meeting of the JTC an ideal payment structure should be discussed and that this would be referred to JM who would put the proposal to Gordon Robertson.

JTC

## 6.0 Staffing issues

Des Broster – JM advised that the situation had not changed and any further questions would have to be referred to Nicole Jackson and that it was inappropriate to discuss personnel matters at this forum.

MD advised that an Enforcement Officer had resigned, so the Section now had 2 Principal Enforcement Officers and 3 Enforcement Officers. MD advised that the Section was moving forward with the contracts for new Enforcement Officers to cover more nights of the week. He advised that The Section was getting 2 Re-deployees who were at no cost to the Section and had some base line skills; they were an extra resource for the Section.

JM

MD advised that the selection process for the post of Principal Vehicle Examiner had been completed and that interviews were being carried out in early August and it was hoped that an appointment would be made.

## 7.0 Licensing - update

MJ advised that the Section had gone back to the normal advertised opening times as published on the Sections literature. MJ advised the meeting that a 3 month trial with the Section opening until 6.00 pm (doors closing at 5.30 pm) on a Tuesday and Thursday would be started in August. Flyers would be handed out and details of the change would be in the Sections next newsletter. All services except the vehicle examiners would be available. Vehicle Examiners would be present but on an ad hoc basis due to staffing.

Computer system – MJ advised the meeting that the contract with the supplier of the new licensing system had been terminated. The Section had not accepted the software and so the contract was terminated. JM advised that the Section was looking to procure a different system. JM advised that the Section was looking at a new system which was already in use elsewhere by the Council and had a Licensing module. JM advised that the section had looked at this system and were looking into whether this new system could meet the specification drawn up from the previous tender exercise. The other option available to the Section would be to re-build the current licensing system. JM advised that both options would be evaluated before a new system was decided upon.

The Trade asked about the late renewal as in the past this was allowed, people were given a grace period in which to renew. JM advised that following legal advice and a challenge in Court that the Section was no longer allowed to renew a licence past the expiry date. MJ advised that only in exceptional circumstances could a badge be renewed passed its expiry date. Each case was look at on its own merits and the reasons why needed to be put in writing, if drivers were out of the country they may need to provide passports and flight tickets as evidence.

JM

The Trade asked about alternative arrangements for renewing licences i.e. next of kin to be able to come in. JM agreed to discuss this with MJ and look at the current arrangements.

JM & MJ

The Trade also asked about the length of time given for vehicle inspections, this is less than 7 days notice and drivers may be away on holiday. MD advised that proof of travel would be needed and that the Section would waive the fee and get the vehicle inspected as soon as possible, once inspected the vehicle suspension would then be lifted.

## 8.0 ISA/CRB vetting of licence holders

MJ advised that the ISA requirements were now on hold and that this could be changed at any time. JM advised that TPHL were proposing that following Department of Trade guidance that the Section carry out CRB checks on existing drivers every 3 or 5 years. At the moment a driver would have had the relevant check that applied at the application stage and after that only when problems/issues came to light.

JM advised that initially the ISA vetting was to be on a 5 year rolling basis and that TPHL still wanted to go ahead and introduce regular CRB vetting for all licence holders. JM advised that following an

internal audit this had been highlighted and it was suggested that it should be every 3 years. JM advised that the frequency of the CRB check was a resource issue and it was thought that if it was agreed that the check should be every 5 years then the Section would need 1 extra staff member, if the check was to be done every 3 years then 2 extra staff members would be required. JM advised that the cost of the vetting would be borne by the drivers. The Trade were not happy about this as it was an extra cost in the current economic climate.

JM advised the meeting that this proposal would be put to the Licensing Committee later on this year and that because it was a new Policy, a 12 week consultation process in which the views of the Trade would be considered before it went to the Licensing Committee.

## **9.0 Operations - update**

MD gave the meeting an update on the number of compliance checks that the Enforcement team had completed.

MD also advised the meeting that a significant number (22) of tyre files had been prepared and 10 of them were awaiting prosecution for defective tyres. He advised that Leeds Magistrates had been severe when imposing fines and penalties on drivers.

MD advised that the Enforcement Team were still carrying out joint operations with the Police and Parking Services when staff is available and that this joint working would continue.

MD advised that Plying for Hire was still a priority for the Enforcement Team but that operations were restricted due to the availability of the Police to attend. In a recent operation of 30 approaches only 1 person accepted, so Private Hire drivers were becoming more aware of the approaches we are making and the questions being asked.

MD advised that legal advice had been sought on how we can do plying for hire operations and get a successful prosecution just based on CCTV evidence and cross referencing that with the Operators booking records.

The Trade mentioned that Apex/Express and City cars all have drivers calling through jobs. MD said he was aware of these issues but that the Enforcement Team could not target Operators, the Team targeted the known 'hot spots'. Mr Din mentioned a number of persistent offenders that ply for hire. MD advised The Trade to pass the details on to the Section so investigations can be carried out.

MD advised the meeting that a new Enforcement Officer job description was being looked at by HR. The new Enforcement Officers on this contract would mean more nights of the week are covered.

MD & JM advised the meeting that a meeting had taken place with Councillor in Headingley regarding issues surrounding The Box in Headingley. Following this meeting it had been agreed that the Councillor were to speak to the Public Houses. The section's 'Do you

**The Trade**

know who is taking you home tonight' posters were to be displayed in toilets etc in public houses to make the public aware of the dangers/risks posed to them by drivers who were plying for hire.

The Trade asked about additional Enforcement Officers due the vast problems of plying for hire in the city centre – JM agreed that he was willing to consider more Enforcement Officer but that this would have an impact on the licence fee.

MD advised that the football season was to start soon and that any Enforcement work carried out on match days would have to be on a voluntary over time basis.

MD advised the meeting about the Enforcement activity taken at Cocoon in the Park when 100 Private Hire vehicles were 'ranked up'. This was due to the Event Organisers who were unaware of the difference between Private Hire and Hackney carriage vehicles. JM advised that in future and to make sure that Private Hire vehicles are used lawfully that the Section would be included in the process of event management. The Trade asked about temporary ranks for events. JM advised that this was no problem and that the Trade needed to approach the event management team. The details had been given in the minutes to a previous meeting. JM advised that it was up to the Hackney Carriage trade to market themselves with the event organisers.

JM advised that guidance would be issued to the event management/organisers so that they realise the difference between Private Hire and Hackney Carriage.

## **10.0 Vehicle Inspections – update**

MD gave an update on the number of vehicle inspections carried out and the pass rate for those vehicles. The pass rate was about 40%.

MD gave an update on the inspections following vehicle transfers. Since the policy was introduced out of 173 transfers – 66 passed, 69 failed and the rest were VOR'd.

MD advised the meeting that a £30 fee was due for failing to attend an inspection and that the vehicle was immediately suspended. MD advised that if there was a legitimate reason that this person could not attend an inspection then the £30 fee would be waived.

## **11.0 Licence Fee increase**

JM advised that the Section's initial proposals had been shared at the last Hackney carriage forum. However further work had been done on the Sections drop in income and JM advised that the drop was due to the falling numbers of new applications (driver and vehicle). Originally it was thought that the reduction was due to the falling number of renewals. The number of renewals had reduced slightly but the main difference was in the number of new licences. JM advised that the Section was to carry out some work to try and identify why the number of new licences had reduced.

**MJ/KC**

JM advised that MJ would be working on a new proposal in light of this information.

MJ

Discussion then went on to the Hackney Carriage Local Knowledge test & MD advised that this was undertaken by DC and was run every 2 weeks and was fully booked. The Trade wanted to reduce the waiting time. JM agreed to look into this.

JM

## 12.0 Meter Re-calibration

MD advised that the Section had been advised by Mann & Overton that the Cygnus/LTI meters would need to be re-calibrated. From the end of August the calendars installed in the meters would not recognise the bank holidays and so the bank holiday tariff would not be applied. MD advised that all 537 drivers would be written to so that drivers are made aware of the issue. £5 would be charged for the re-sealing of the meter. MD suggested that each Association make a single payment for the re-sealing of each meter. After discussion the Associations agreed that each driver should pay for the re-calibration themselves at the time of re-sealing.

## 13.0 Use of the word 'Taxi' in Private Hire Advertising

MD gave the meeting clarification on the use of the word 'taxi' in a domain name. MD advised that the Section would approach every Private Hire Company that used the word 'taxi' in advertising material and would give the Operator a warning if that warning was not headed then the Operator would be taken to Court and it would be up to the Court to make a decision.

## 14.0 Any Other Business

Draft constitution for the forum was handed round. JM advised that this had been drafted by the legal department. JM advised that any representative body could apply.

JM asked the attendees to look through the document and feedback any comments to either JM or MD. JM advised that any Association could apply.

JTC

This item would be on the next agenda.

JM/AC

NVQ – JM advised that KC was in the process of writing a Report which would go to the Licensing Committee outlining the problems and issues with funding. MJ advised that the Section had a Policy in place and that any changes would need to be referred to the Licensing Committee.

The Trade were advised that once drivers have received certificates for an NVQ/VRQ(BTEC) then they should be brought into the Section where a copy will be taken and placed on the driver file.

JM advised that he would find out from licensing staff what was happening with regard to NVQ/VRQ(BTEC) certificates and what

JM/MJ

correspondence was going out asking for NVQ certificates.

Leeds Alternative Travel – The Trade advised MD & JM of this company who they thought were getting round the licensing regime by charging people £1 to be a member of a club. This company was also using mini buses and 16 seater transits for their business.

MD advised that TPHL Section only licensed vehicle with 8 seats or less. This company was operating vehicles with a PSV licence. The Trade wanted to know if it was legal and JM agreed to look into this.

An issue with a driver who could not pass a Group 2 medical without spectacles was mentioned by Andy Howard and therefore his licence was revoked. JM asked for details of the driver so that his file could be reviewed.

JM also advised the meeting that a timetable to review the Sections Polices was being put together.

**JM**

**Andy  
Howard**