



Derby City Council

Licensed Trade Meeting

10 October 2018

10am – 12pm

Jacob Rivers Meeting Room, Council House

Present	Cllr M Barker – (MB) (Chair)		
	Cllr A Holmes (AH)		
	Cllr Potter (GP)		
	Cllr R Skelton (RS)		
	Mr G Matkin (GM)(Licensed Operator)		
	Mr M Afsar (MA) (Licence Driver) - arrived meeting at 10.30 am		
	Mr A Chaudhery (AC) – (Licensed Driver) - arrived meeting at 10.30 am		
	Mr W Coupland (WC) (Licenced Driver)		
	Mr D Fitchett (DF) (Licenced Driver)		
	Mr S Quayum (SQ) (Licence Driver) – arrived meeting at 10.30am		
	Mr J Akhtar (JA) (DATA)		
	Mr I Wigley (IW) (DATA)		
	Mr L Roach (LR) (Licensed Driver)		
	Dave Basford (DB) - Licensing Enforcement Officer		
	Mike Kay (MK) - Head of Environmental Protection, Licensing, Housing Standards and Emergency Planning		
	Lucie Keeler (LK) - Litigation Solicitor		
	Sandra Mansell (SM) – Team Leader		
	Lorraine Strong (LS) – PA, Minute taker		
Apologies	Mr O Idowu		
	Cllr P Pegg		
	Ann Walker		
	Mr D Wilson		
		Who	When
	<p>Cllr M Barker (Chair) welcomed everyone to the meeting.</p> <p>Items 9, 10 and 11 on the agenda were discussed first.</p> <p>Cllr Barker left the meeting at 10.30 am and Cllr Holmes took over as the Chair from item 5.</p>		



1	<p>Private Hire & Use of Bus Lanes:</p> <p>As a private hire taxi driver, I would like the taxi committee to consider allowing the whole taxi trade to use the bus lanes at the peak times from 7.30am to 9.30 am and 3.30pm to 7pm.</p> <p>The government and local authority is constantly banging on about excessive emissions, but isn't actually doing anything about it. Just allowing the yellow cabs to use the bus lanes is clearly discriminative, and against the private hire part of the taxi trade. It's a mandatory requirement of a taxi driver to take a passenger the shortest, quickest and the cheapest way to their destination. At peak times the passenger is being charged approximately 20% more for the journey due to waiting in stationary traffic, thus increasing more pollution via emissions. It's a burden on the trade in higher fuel costs.</p> <p>It's seems the committee seems to work against the trade when common sense approach should be used.</p> <p>If the emissions are high, let's make an immediate amendment to our problems, not just pass the suggestions to pillar and post to other departments within the authority.</p> <p>We all need to work together and not against the trade, which is already under immense pressure and threat from out of town vehicles.</p> <p>Let's make bold decisions and not bury our heads in the sand.</p>	Mr M Afsar	
	<p>Cllr Barker advised the Trade that this item cannot be covered within this meeting and is to be re-directed to the Traffic & Transportation team. The Trade referred to a model in Newcastle.</p> <p>SM has now dealt with this.</p>	SM	
2	<p>Online renewals:</p> <p>It has become apparent from the outset some drivers are going to struggle renewing badges online, we have had two DATA board members renew via the online process and they have already identified a number of problems, surely it would make sense to have the old way of renewing as well as online renewals, via a form sent out by the council with a badge renewal application, enabling drivers to choose what is best for them online or in person at the licensing desk. We are already getting drivers coming to us asking for help because they haven't a clue about how to renew their badge.</p>	DATA	



	<p>DATA confirmed that following feed back, some drivers are not computer literate and are experiencing difficulties in completing the renewals on line and suggested reverting back to completing a form at the Council House.</p> <p>LK stated that this was covered at the previous meeting and options were discussed.</p> <p>SM also clarified that self service is being encouraged by the Council and for a way to reduce the use of paper/space and resources.</p> <p>Following discussions it was suggested that drivers who were not able to use a computer could ask the Operators or Trade Groups to print off the form for them to complete. Drivers can then bring the form into the Council House. It was also agreed that drivers are able to access the Library for completing on-line or to print off the form. For any other issues drivers can contact the Licensing Team for assistance.</p> <p>SM to check with AW to ensure that the wording on Library access is stated on the website, to update if necessary.</p>	SM	
3	<p>Council Assistance with regards to proposed changes - And an update on the proposed age restriction:</p> <p>Our members would like to know if there will be any Council assistance with the purchase of vehicles if new harsher conditions are introduced and if there will be the infrastructure to support such changes. And if retrofitting may be allowed in order to keep current vehicles on the road and compliant with current government emission levels .As suggested on the Council's Agenda for the Council to consider in the main Council meeting, Would they consider the purchase of new Taxis to lease to drivers - could the council also gives us an update on the current situation regarding any age restriction and what stage we are at with this situation. We would suggest no age limit but biannual testing as this would be enough to take care of any safety issues the Council may have.</p>	DATA	



	<p>Cllr Barker informed the Trade that this was raised at the last meeting and that RA had talked through some of the options that may be proposed.</p> <p>Cllr Barker explained that the consultation on CAZ has been completed and is now being analysed. The Council has worked up the proposal and sent to Defra. The plan is for a CAZ that doesn't include charges. It is now up to the government to impose the CAZ decision. Stafford Street is the main problem area.</p> <p>DATA asked if there is any financial assistance from the Council with purchasing vehicles. Cllr Barker reiterated, as it is not yet clear on what the outcome from the Government would be, that he could not comment on that. It may be that there is potential for retro fit if emission limits could be achieved. RA had previously discussed what approach had been taken in Nottingham and we were looking at a similar scheme in Derby. This involved vehicles meeting EURO 6 or Ultra-Low Emission Vehicle standards.</p> <p>The drivers queried if the age restriction is incorporated in to the CAZ. Cllr Barker re-iterated that it depends on what the government accepts on CAZ.</p> <p>DATA stated that they had members who were ready to change their vehicles now but they didn't know what the standard was going to be.</p> <p>Cllr Barker acknowledged this, however stated that the previous scheme had been brought forward within 6 months, and is waiting for government to accept our proposals. Continue to implement the shortest possible time. The first set of problems is to tackle Stafford Street.</p> <p>DATA queried the notice period given for changing vehicles. Cllr Barker stated this will go to consultation and is currently unknown.</p> <p>Proposals could map out over a 5 year period to ask for the shortest time possible.</p>		
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4	<p>Four week medical window: Our members have been telling us the 4 weeks window to which a driver attends his doctors surgery for a medical and then applying for a badge is not long enough especially now that our council take two years off of a valid and expensive medical, and we agree, we see problems arising especially now the medical is more time consuming for GPs with it being a class 2 medical that is now needed. Some doctors are short staffed and find it hard to fit in Taxi medicals in such a short time span.</p>	DATA	
	This item was discussed under item 11.		
5	<p>Private Hire Plying for hire: Having spoken with lots of our Hackney members it's become apparent that on mainly Friday and Saturday nights there is a problem with drivers plying for hire in the city, we have had reports that on the Morledge for example cars are reportedly queueing up in wait for customers, although there are some Derby drivers flouting the law the main culprits seem to be the OOT vehicles, we would like to ask enforcement what they are doing about this situation in regards to safeguarding the public of Derby.</p>	DATA	
	<p>LK updated the Trade on the two successful prosecutions, one out of town driver and one Derby driver.</p> <p>SM informed the Trade of the operations that are being undertaken with DCC and outside agencies and that action is being taken. Enforcement has taken place at the Morledge and Friargate. However, as it has been previously reported, as soon as one driver is spoken to, word gets around the rest of the trade and the problem disappears. SM asked that if anyone has been approached, not to let other drivers know as it undermines the exercises the Trade want the authority to undertake.</p> <p>Between 20 and 25 drivers are approached in one exercise. The drivers stated that it would be more beneficial for the exercises to be carried out between 1am -5am. SM to feed this back to the agency.</p> <p>DATA to ensure that drivers are clear on the conditions. DATA also asked that posters are put up in the Operators office to highlight that prosecutions are being undertaken and to act as a deterrent.</p>	SM	



	<p>The drivers also made suggestions for:</p> <ul style="list-style-type: none"> • Drop off/pick up points for private hire firms • For marshals to monitor this • To cut down the waiting time to 15 minutes <p>Following discussions it was agreed that capacity is guided by the funds that are available.</p> <p>The drivers stated that Hackney Carriage have their own ranks. Licensing have no control, this is Traffic and Transportation. SM to pass information to the team.</p>	SM	
6	<p>Rank Marking: Is there a possibility of marking rank space more prominently as more and more people park on them when rank space is already at a premium. Our members tell us that traffic wardens say that they cannot enforce it as it's not signed or marked properly for them to issue a ticket</p>	DATA	
	<p>This item is to be directed to Traffic and Transportation team</p> <p>SM has now dealt with this.</p>	SM	
7	<p>Minor scratches and dents failing a taxi test: It's been mentioned by some of our members that testing stations are failing vehicles on very minor scratches and dents. We are talking about very small dents, some barely visible. surely this is a bit over the top and in no way are these minor imperfections a danger or have a negative effect of the appearance of the vehicle</p>	DATA	
	<p>Following discussions, it was agreed that if drivers have any issues around this, for them to bring in the evidence and garage sheet and the details of the testing station and the licensing team will look into it.</p> <p>It was clarified that there have been no complaints made to the team directly from the drivers/vehicle owners.</p> <p>DB stated there is a testing manual.</p> <p>It was also stated that on some occasions when drivers have taken vehicles in for an annual test that</p>		



	<p>some receptionists had asked to look at the vehicle before the garage would make a decision to look at it. It was clarified that this had not been reported to the Licensing team and that drivers to inform the team of the details.</p> <p>To discuss at the next meeting. To be an agenda item. SM to add.</p>	SM	
8	<p>Yellow interior licence stickers - private hire: These stickers have to be displayed. The problem however is that they don't last long, they start to fade and crease especially after cleaning our vehicles, making them look messy and eventually lose their adhesiveness. Is there a better way the council can produce these compulsory stickers. Perhaps a laminated version would be better suited for the job.</p>	DATA	
	<p>SM stated that the report has gone to Committee and a working group is now set up to review all signage, stickers, etc. required in both hackney carriages and private hire vehicles.</p>		
9	<p>Standards of Derby City Council highlighted by Councillor Mick Barker: In the previous trade meeting chairman Mick Barker highlighted that Derby City Council has high standards. Can the chairman of the committee explain these high standards, in what way have these high standards benefited the taxi industry in Derby; and how have these high standards benefited in the growth of the night life businesses and the overall outcome. If these high standards were so good, then we should have a perfect solution. Why is the private hire and hackney industry on the decline, more and more drivers are getting badges and plates from out of town Councils and working in derby</p>	Mr A Chaudhery	
	<p>Cllr Barker gave a brief outline and re-iterated that the high standards are not only necessary for the taxi industry but that the primary aim is for the customers and public safety. There is an expectation of a professional standing within the industry and by customers, and that it is the interpretation of legislation that is causing issues with the decline.</p>		



<p>10</p>	<p>Internal modifications against the manufacturers design: When a vehicle comes from the manufacturers it's tried and tested, designed that is backed up by the rigorous testing that is backed up by manufacturers evidence. On the other hand, the modification required by the licensing authority is a little too harsh and in my opinion not backed up by any recognised study or any measurable rigorous testing or backed by any hard recognised evidence.</p> <p>As an example, a number of vehicles that have undergone though a council's test have been noted that an additional modification had been demanded from the owner and driver; this we feel is unreasonable and unfair. Some modifications are counter productive to the vehicles manufacturers design; these modifications are forced by the council upon the drivers. In the event of an accident, this modification may have detrimental effect and could possibly result in injury to passenger. What I am referring to is an unnecessary requirement of a barrier to partition the luggage area.</p> <p>Drivers feel that the additional modification both spoils the vehicles aesthetic appeal and its original design with its functionality.</p> <p>In the last consultation, Derby City Council had decided a VIVA certificate to be bought in which affected the drivers loss of income and several drivers together with new one moving to neighbouring councils .</p> <p>In basic forms the 76 Act requirements are Licensing of private hire vehicles. (1) Subject to the provisions of this Part of this Act, a district council may on the receipt of an application from the proprietor of any vehicle for the grant in respect of such vehicle of a licence to use the vehicle as a private hire vehicle, grant in respect thereof a vehicle licence: Provided that a district council shall not grant such a licence unless they are satisfied— (a) that the vehicle is— (i) suitable in type, size and design for use as a private hire vehicle; (ii) not of such design and appearance as to lead any person to believe that the vehicle is a hackney carriage;</p>	<p>Mr A Chaudhery</p>	
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	<p>(iii)in a suitable mechanical condition; (iv)safe; and (v)comfortable; (b)that there is in force in relation to the use of the vehicle a policy of insurance or such security as complies with the requirements of [F2Part VI of the Road Traffic Act 1988], and shall not refuse such a licence for the purpose of limiting the number of vehicles in respect of which such licences are granted by the council. (2)A district council may attach to the grant of a licence under this section such conditions as they may consider reasonably necessary including, without prejudice to the generality of the foregoing provisions of this subsection, conditions requiring or prohibiting the display of signs on or from the vehicle to which the licence relates. (3)In every vehicle licence granted under this section there shall be specified— (a)the name and address of—</p>		
	<p>This item was not discussed until there is clarification as to what the issue actually is.</p>		
11	<p>Point system up to date: So far the new point system is place for just over one year, how are they working and what is the result up to date? As I clearly remember, before the decision was made for the point system to be in place, the chairman of this new committee chairman Mick Barker gave a statement to the derby telegraph, that if he becomes the chairperson again he will overturn this new point system back to the old strike person. Will the chairman live up to his statement, and when will you bring back the strike system in place?</p>	<p>Mr A Chaudhery</p>	
	<p>Cllr Barker advised the Trade that this was discussed at a previous meeting in July and the decision was to endorse it and to continue with the system.</p> <p>However DATA said that the minutes were not on the website or September's Committee meeting minutes. SM to speak to Demographic Services.</p> <p>SM has now dealt with this.</p>	<p>SM</p>	



	<p>Cllr Barker stated that the information on the points system is a good way to inform potential drivers before they apply for a licence.</p> <p>DATA felt that that the on-line system, some drivers have not realised that all convictions need to be submitted and felt the form is not very clear, resulting in drivers making mistakes, which created problems with the point system. LK advised that it is the responsibility of the drivers to complete the forms correctly and that there is an appeal system in place.</p> <p>DATA asked if the Licensing team can help drivers out with completing forms and whether extra money can be added to the fees Cllr Barker added this would not be possible as the fees would not be able to cover the extra staff time to cover this and would not apply after the during year 2 -3 of the licence.</p> <p>DATA felt that there are some simple mistakes resulting in drivers going to court.</p> <p>Cllr Skelton added it is the responsibility of the driver to ensure everything from the DBS should be added to the form as well as driving offences etc.</p> <p>DATA are to ensure drivers are aware that all convictions including any criminal convictions are recorded when completing the renewal forms.</p> <p>Cllr Barker stated that the system has developed over a number of years and that there is enough notice of 3 months given to drivers to ensure the forms are completed correctly.</p> <p>DATA stated that drivers felt that the 4 week window to attend a medical before applying for a badge is not long enough. This is due to the time taken to see a GP. The request was made to extend this period to allow drivers more time. Cllr Barker stated that this would be a policy decision and will need to go to full committee.</p>		
12	<p>Date and time of next meeting: 5 December 2018 @ 10.00am.</p> <p>Agenda items and attendance to be emailed to taxi.licensing@derby.gov.uk by 9.59 am 28 November 2018.</p>		



	AOB		
13	SM asked that all drivers are reminded that they need to complete the Safeguarding courses. Drivers whose badges are up for renewal in October/November/December are to contact the Licensing team as a matter of urgency.		

