

NORTH HERTFORDSHIRE DISTRICT COUNCIL

Hackney Carriage and Private Hire Consultative Forum

Wednesday 29 January 2020 commencing at 13:00hrs
Council Chamber, Council Offices, Gernon Road, Letchworth Garden City

MINUTES

Present:

| | |
|-----------------------|--|
| Mr. S. Cobb (SC) | Licensing Manager (Chair) |
| Mrs. J. Thompson (JT) | Service Director - Legal and Community |
| Miss. J. Jennings | Licensing Officer |
| Mrs. M. Gillespie | Assistant Licensing Officer |
| Mr. C. Skeels | Licensing Apprentice |
| Ms. C. Speck | MSU (Minute taker) |

| | |
|------------------------|---------------|
| Mr. A. Mander (AM) | Owner/driver |
| Mrs. C. Grant (CG) | Butler Meltax |
| Mr. M. Thind (MT) | Boxalls Taxis |
| Mr. R. S. Bachra (RSB) | Owner/driver |

Not present:

| | |
|----------------------|---|
| Cllr G. Grindal | Executive Member for Housing and Environmental Health |
| Mrs. M. Shiells (MS) | Licensing Officer |

| | |
|----------------|----------------------|
| Mr. W. Stewart | Butler Meltax |
| Mrs. H. Hill | Castle Taxis |
| Mr. D. Khela | B&D |
| Mr. D. Sandhu | Eurocabs and Cabstar |
| Mr. S. Gul | Angels Taxi |
| Mr. T. Elnemr | Taxi 4 You |
| Mrs. R. Elnemr | Taxi 4 You |

| | |
|----------------------------|--------------|
| Mr. K. Singh | Tiny's Taxis |
| Mr. H. Singh | Tiny's Taxis |
| Mrs. E. Stewart-Page (ESP) | Owner/driver |
| Mr. S. Singh | Owner/driver |
| Mr. H. Alhaydary | Owner/driver |
| Mr. M. Nasserislam | Owner/driver |

1. Introduction and housekeeping

SC opened the meeting with housekeeping and thanks to all attendees.
All attendees introduced themselves.

2. Apologies for absence

| | |
|-----------------|---|
| Cllr G. Grindal | Executive Member for Housing and Environmental Health |
| Mrs. M. Shiells | Licensing Officer |

| | |
|----------------------|---------------|
| Mrs. E. Stewart-Page | Owner/driver |
| Mr. W. Stewart | Butler Meltax |

3. Minutes of the Previous Meeting, including updates on actions

SC reiterated that safeguarding training cannot be undertaken online and must be delivered in person so we know the correct person has attended. He also added that drivers can voluntarily do the training before they are due to renew if they so wish.

Fares did not increase in November: only one representation requested an increase and no one else commented. Fares will be left as they are until we know more after Brexit has been delivered.

ESP pointed out last time that the 5 disabled bays by the Broadway Cinema do not have ramps for wheelchairs – SC has passed this on to the relevant service team for consideration.

It was agreed that the minutes of the previous meeting were a true account.

4. Enforcement update

SC said we have received 15 complaints since the last Forum. They are going down which is good and we do know that some of the complaints are vexatious. MS suggested last time that taxi drivers should keep a notebook in their vehicle so that they can write down any incidents that occur. SC asked that today's attendees pass on this suggestion to other drivers so that we have an accurate record when judging any complaints that may come in.

Two drivers had their licences revoked. Both lodged appeals – one was withdrawn and the other one was heard in Court last Wednesday but was dismissed by the Judge who upheld the Council's decision.

SC reminded the Forum that decisions to revoke licences are not taken lightly however the protection of the public must always be the main consideration.

MT: Have the Council received a specific type of complaint?

SC: No real trends, but usually it's something to do with either a driver didn't turn up, or went to the wrong place or charged an incorrect fare.
Received several complaints from hackney carriage drivers about private hire vehicles parking in Morrison's but recent enforcement visits didn't find any issues.

RSB: Several private hire drivers pick up late at night (02:00hrs – 03:00hrs) in and around Hitchin Market Place.

SC: Evening enforcement is undertaken but as everyone knows him, he has not been able to witness this. However, the Council has some new staff members now that the trade do not know and they will undertake evening enforcement.

5. Vehicle numbers and WAV requirements

Last time MS discussed the Council website and WAV updates explaining when a target of 10% of hackney carriage WAVs has been reached a notice will be published and emailed to all drivers. The email was sent and the Council received a long list of expression of interest forms back and have now released some non-WAV hackney carriage licences. The Council website will be updated in due course with a list of WAVs and the total number of hackney carriages.

The release of non-WAVs was welcomed but did prove problematic as some drivers

with private hire licences have licensed a hackney carriage but cannot drive it under any circumstances until they have a hackney carriage licence. They can rent the vehicle to another hackney carriage driver.

There will be a further small release of non-WAVs on 1st March directly to those drivers at the top of the reserve list.

6. Uber

SC reiterated that the Courts have decided that the Uber business model is lawful therefore the Council cannot stop them from operating in North Hertfordshire. Transport for London refused to renew Uber's operator licence however Uber have appealed and can continue trading as normal until the Court hearing.

Transport for London have agreed to do an enforcement evening with Council officers and the Police. This has already taken place in Stevenage and MS will contact Stevenage Borough Council for advice. Transport for London officers can take action against any Uber driver operating unlawfully.

AM: Some local authorities allow dual plates

SC: The Council does not allow dual plating in North Hertfordshire as it would make enforcement activity difficult as it would be unclear which plate the vehicle was operating under.

MT asked if we could ban them in North Herts? SC said we cannot ban them as they are PH vehicles and can operate across the whole country.

Some discussion regarding the law took place. SC said the law commission report said it wasn't fit for purpose twice but both times it was overruled.

MS will meet with Uber and we have some ideas to discuss with them however if they do not agree it will not go anywhere, we can only ask the question. PHOs should normally fulfil bookings by using their own PHV/PHD however they can be allocated to hackney carriages (provided the journey is carried out using the meter in the normal manner). This would allow NHDC hackney carriages to accept jobs if they are signed up to the app, provided Uber agreed.

After Brexit a national minimum standard will be set up. The licensing officer will be given powers to enforce against any licensed vehicle in their district and give out fixed penalty notices.

One idea being considered by the Government is amending the legislation so that all private hire bookings must start or finish in the district where the vehicle is licensed.

7. Hackney Carriage and Private Hire Licensing Policy

SC said the policy is going to be re-drafted and subject to public consultation in March and April, prior to a meeting of the Licensing and appeals Committee on 6 July 2020 where a new policy will be adopted. This is an opportunity for the trade to suggest any changes/ideas they have.

A draft policy will be published for consultation from 2 March so any ideas submitted in the next couple of weeks could be considered for inclusion in the draft. There will be several options in the draft policy therefore it is important that Forum members encourage all licence holders to take part in the consultation. Ultimately, for an idea to be successful, there would need to be evidence of support from the trade.

MS is leading on drafting the policy and will be temporarily removed from day-to-day taxi work such as compliance tests, complaints and queries.

Changes being considered for inclusion in the Policy

- Clarification that top boxes and plates must not be removed from licensed vehicles when they are being driven for non-work purposes; a licensed vehicle is licensed 24/7 even if not carrying passengers. The only exception would be when parked up overnight outside the home to avoid the risk of them being stolen.
- Fire extinguishers will be removed from policy requirements; fire service advice if there is a car fire is to leave your vehicle immediately and move to a safe location.
- Clarification on the date the private hire door sign requirement will be mandatory
- Clarification on the authority's ability to regulate Uber will be given.
- The mandatory accident reporting process will be clarified
- A new temporary replacement vehicle plate process will be introduced with more stringent criteria before a temporary plate will be issued
- Clarification that all DBSs will now be periodically checked against the online update service to ensure that no convictions have been received and not advised to the Council
- Clarification that regular DVLA licence checks on driver history will be made now that DVLA paper counterpart licences have been scrapped
- Clarification of the method for contacting the Council will be given formalizing the channel shift away from telephone contact. All queries should be emailed in to licensing@north-herts.gov.uk where they will be dealt with. Calling the Council holds up applications being processed and often the telephone advice needs confirming in writing so an email response to an email question is the most appropriate way forward. Continued reliance on telephone conversations will slow down application processing and lead to an increase in licence costs.
- Consideration is being given to a Wednesday drop-in session in Reception for genuinely urgent cases (this will not include questions such as when plates/badges will be available). This would involve an officer being available in the CSC to answer any important queries with the trade face to face - there will be a queuing system in place on a first come first served basis. Only genuine urgent issues will be dealt with by an officer and if the service is used to bypass the normal email route for non-urgent questions it would be removed.
- Environmental considerations
The Council recently declared a climate emergency and the first step for licensed vehicles was reduced fees for electric and hybrid vehicles. There will be other incentives to encourage a transition to cleaner vehicles and we are in discussion with a company that rents out electric and hybrid vehicles to the trade on short-term trial rentals. We are also introducing a no idling policy where engines must be turned off when waiting for a customer, when parked on a rank or when parked on Council-owned land. The no idling policy will also be extended across the district to include the general public in high congestion areas such as outside schools. Part of this longer-term plan includes increasing the charging point provision in the district.
- Taxi rank provision
As part of a wider consideration of taxi rank provision and locations, the Council are considering providing electric charging points at taxi ranks. This could include ideas such as electric vehicle only ranks in areas of high congestion such as Hitchin Market Place; all non-electric hackney carriages/private hire vehicles would then be prohibited from waiting in the Market Place unless they had a pre-booked customer.
- Consideration of whether there needs to be a specified period that a driver should be licensed as a private hire driver before upgrading to a hackney carriage. An

alternative could be further testing requirements prior to an upgrade.

MS will be sending an email to all licence holders inviting initial suggestions; if anyone has further comments/ideas please email licensing@north-herts.gov.uk and these will be reviewed.

Changes suggested by the Forum

- MT asked whether the 2021 requirement for printers in hackney carriages could be revisited as technology has advanced and paper receipts would be expensive to implement. Some companies already email receipts to their customers if required. SC said that it was useful that MT had trialed the printer and provided useful feedback; electronic receipts could be considered as an alternative to a printer however the mandatory requirement to provide a receipt in some format would be retained.
- AM asked if the Council could require tachometers in licensed to regulate the hours that drivers work. SC explained that the Council did not employ the drivers so had no responsibility for monitoring driver hours however the drivers were responsible for their own wellbeing (companies also had a responsibility if employing drivers).
- Mandatory CCTV in licensed vehicles
SC suggested that mandatory CCTV would be a further cost barrier to entering/remaining in the trade plus the vehicle owner would have to register as a data controller with the ICO and comply with strict data management requirements. The Policy would continue to encourage the use of CCTV for driver safety.
- MT asked if we will be introducing any new compulsory items; SC advised that there were no new radical requirements being proposed more a case of adding clarification or updating the Policy due to technological or legislative advances.

8. Any other business (at the Chair's discretion)

SC asked if the trade would be interested in having a closed Group Facebook page for the trade. This could be used for the Council to post updates/important messages plus the trade could share information on best practice/problem customers or ask questions. The Council could answer the questions posted on the site and the questions/answers would be available for the whole trade to read.

The Forum supported the idea therefore it will be progressed.

Meeting ended at 14:40hrs