

**NORTH HERTFORDSHIRE DISTRICT COUNCIL**

**Hackney Carriage and Private Hire Consultative Forum**

**Minutes of meeting held on  
Wednesday 20 February 2019 at 10.00am,  
Council Chamber, Council Offices, Gernon Road, Letchworth**

**Present:**

Mr. S. Cobb	Licensing Manager (Chair)
Mrs. J. Thompson	Service Director - Legal and Community
Mrs. M. Shiells	Licensing Officer
Miss H. Sweetman	Senior Licensing Officer
Cllr. B. Lovewell	Executive Member for Housing & Environmental Health

Mr. K. Singh	Tiny's Taxis
Mr. H. Singh	Tiny's Taxis
Mr. A. Mander	Mander's Taxis
Mr. W. Stewart	Butlers Meltax
Mrs. C. Grant	Butler Meltax
Mrs. E. Page	Owner/Driver

**1. Introduction, Housekeeping and Apologies**

SC opened the meeting with housekeeping and thanks to all attendees for attending; all introduced themselves.

**2. Apologies for absence received**

Mr. M. Thind	Boxall Taxis
Mr. S Singh	Owner/Driver

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

Money has been ring-fenced for the re-marking of ranks and new rank signage across the district; work to be undertaken when a contractor is next employed to implement any road traffic order.

Introduction of door signage for private hire vehicles.

**Update: a date for this to be a mandatory requirement will be set as part of the next minor policy amendment (likely June 2019); most companies have already started to use appropriate signage.**

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

**4. Enforcement update**

SC advised that there has been no reduction in the number of complaints being received and there has been an increase in serious complaints.

SC reminded the Forum that a small minority of drivers are damaging the good reputation of the taxi trade as a whole.

More unannounced enforcement activity will be undertaken, including licensing officers from other local authorities who will be unknown to the drivers. Joint operations may also be undertaken with the police. More awareness is being disseminated to the public to encourage reporting of problems.

Where evidence is obtained to prove 'on the balance of probabilities' an offence/unacceptable behavior has taken place, serious sanctions will be considered. Refusing to show a driver badge when requested will be dealt with as a serious issue.

## **5. Uber update**

A recent Court of Appeal case considered whether or not Uber is considered to be plying for hire in a district where vehicles are parked but not licensed in that district. The Court decided that in order for a case of plying for hire to be made out there needs to be a vehicle and driver that can be physically seen by the intended hirer; seeing a virtual vehicle on an app doesn't amount to plying for hire. It also requires the intended hirer to select a specific vehicle which doesn't happen on the app as it is open for any Uber driver to accept the booking request. This means that Uber vehicles can lawfully park in any district awaiting bookings via the app provided that they do not park anywhere that the public could mistakenly believe they were hackney carriages plying for hire.

## **6. Task and Finish Group on Taxi and Private Hire Vehicle Licensing (Government response)**

The Forum discussed the main recommendations of the Task and Finish Group and the implications for the trade in North Hertfordshire.

In general terms the Forum were supportive of the proposals, several of which we have already introduced in North Hertfordshire.

A copy of the full report is available on the following link:

[Task and Finish Group](#)

## **7. New Statutory Guidance**

The Forum discussed the main amendments proposed by the Government as part of the new Statutory Guidance and the implications for the trade in North Hertfordshire. Previously the Government Guidance was discretionary leading to inconsistent application across the country.

The Forum was particularly supportive of:

- A definition of plying for hire
- High national standards
- Fixed Penalty Notices rather than prosecution for lower level offences
- Cross-border enforcement by licensing officers
- Private hire bookings to start and/or end in the district where the operator is licensed
- DBS checks for staff working for private hire operators
- Increase in licence fees to cover the cost of additional enforcement officers

A copy of the full report is available on the following link:

[Statutory Guidance](#)

## **8. Railway Station Ranks**

A brief discussion was held about the need for more enforcement on railway station ranks and the number of vehicles issued with station permits. As these ranks are on private property the local authority has no control over the number of permits issued, the location of the ranks or the enforcement of public vehicles parking on the ranks.

## **9. Any other business**

EP asked why new private hire vehicles did not have to meet the same wheelchair accessible requirements as hackney carriages. SC explained that private hire operators, when taking a telephone booking, could ensure that they supplied a WAV where required however the local authority had a duty to ensure that there was sufficient WAV provision available on hackney carriage ranks. Additionally, one of the options during the recent policy consultation was to extend the WAV requirement to private hire vehicles however that option did not attract any support.

SC advised that we were currently two WAVs short of the required percentage of hackney carriages that would allow non-WAV vehicles to be issued with a new hackney carriage plate.

When the required percentage is met, a notice will be published on the website advising that applications for non-WAV hackney carriages would be considered and processed on a first come first served basis. A waiting list would not be kept for the new non-WAV plates.

MS advised that the mandatory safeguarding training would be introduced as a requirement for all new and renewal driver applications in the summer. A date will be advised to the trade through an email bulletin after which no new or renewal driver application will be granted unless the applicant has attended a safeguarding training session at the Council Offices.

MS advised that it was the Council's intention to introduce email news bulletins to the trade which would also be published on the Forum webpage. This is part of the Council's channel shift project that will result in all correspondence only being sent by email (including renewal reminders and appointments). Application forms will be available to download from the Council website. Any licence holder not providing an email address will preclude themselves from receiving this information.

SC advised that this was Cllr Lovewell's last Forum meeting as he was standing down as a Councillor at the forthcoming local elections. He had been the Executive Member responsible for licensing for ten years and had proven to be well respected for his understanding of taxi trade issues and his support for the high standards currently maintained within North Hertfordshire.

The Forum asked for it to be placed on record that they wished Cllr Lovewell a long and healthy retirement and thanked him for his support and understanding over the years.

**The next meeting will be Wednesday 29 May 2019 at 10.00am in the Council Chamber.**