



**Licensed Trade Meeting
12 December 2017
10am – 12pm
Council Chamber**

Present	Cllr B Sandhu (BS) - (Chair)		
	Cllr M Barker (MB)		
	Cllr A Holmes (AH)		
	Cllr D Frogatt (DF)		
	Mr A Chaudhery (AC) – Licensed Driver		
	Mr S Quayum (SQ) – Licensed Driver		
	Mr G Afsar (GA) – Licensed Driver		
	Mr I Wigley (IW) – D.A.T.A.		
	Mr M Nazir (MN) - D.A.T.O.A.		
	Mr J Akhtar (JA) – D.A.T.A.		
	Mr D Wilson (DW) – A2Z Licensing		
	Michael Kay (MK) - Head of Environmental Protection, Licensing, Housing Standards and Emergency Planning		
	Lucie Keeler (LK) – Litigation Solicitor		
	Sandra Mansell (SM) – Team Leader		
	Ann Walker (AW) – Senior Environmental Health Officer		
	Michelle Clarke (MC)– Minute taker		
	Sau Fung (SF) – Minute taker		
Apologies	Mr P Khan		
	Mr D Basford		
		Who	When
	Cllr Sandhu welcomed everyone to the meeting and introductions took place.		
1	Future Meetings		
	<p>MK informed there had been no trade meetings for a period of time. Need to look at how often these meetings are held, who will be attending and how many members from each association attend.</p> <p>MK suggested a possible option of a 1/2 day forum, including a Question and Answers session which could be an opportunity for external speakers to attend to discuss various topical matters e.g. guide dogs, disabled customers, electric taxis etc.</p> <p>All agreed a 1/2 day session would be useful to explore issues in-depth and introduce other items but for the time</p>		



	being, continue with the current approach.		
2	<p>Illegally Plying for Hire The current situation involving plying for hire in the early hours of Saturday and Sunday morning is blatantly occurring on a regular basis in the prime hotspots. Morledge, Assembly Rooms, Cheapside, Irongate and the bottom of Sadler Gate.</p>		
	<p>This issue has been raised by the trade on and off for a period of time. Some exercises have been carried out previously although there has been a lull. Exercises have started again with the commitment from the Police. The issue with enforcement work is as soon as word gets around that exercises are taking place the vehicles disappear and the drivers become more acute to the issues. The Council need to discuss this with the Police and Legal teams and look at any alternative way to overcome this.</p> <p>The Taxi Drivers suggested when out of town drivers are caught it could be tweeted on the Police twitter page. LK informed from a Legal point of view this would be an issue as it would be in the public domain before being investigated.</p> <p>Mr Wilson informed of Newcastle City Council who do not alert drivers to the test purchase, so word does not spread. He said prosecutions have been very successful in Newcastle.</p> <p>The Taxi Drivers suggested Taxi Marshalls in designated places to check jobs on a Saturday night/Sunday morning. Being deployed to verify and eradicate the problem. This would require additional resources that would need to be funded.</p> <p>MH said that Birmingham City Council have also had a high successful rate of prosecutions using a dedicated police officer.</p> <p>Action: MK to look into Newcastle City Council and Birmingham City Council regarding their approach and legal implications.</p>		
3	<p>Spot Checks Vehicle spot checks carried out by enforcement agencies</p>		
	<p>The Taxi Drivers raised the issue of vehicle spot check information being public and the need to clarify the difference between hackney carriages and private hire.</p> <p>MK commented that the information sent to the Comms Team is specific on how many hackney carriages and private hire vehicles had been checked and had their licences subsequently suspended. The problem is that the Council do not have control of the information when it gets to</p>		



	<p>the press. In an attempt to try and resolve this with the press, the issue will be raised with the Communications Team to see if they can highlight the fact that both types of licensed vehicles are involved.</p>		
4	<p>Derby Penalty Points The Derby points system is very harsh with some minor offences staying on a driver record for three years.</p>		
	<p>The Taxi Drivers asked for clarification when penalty points will be applied to any driver.</p> <p>MK informed the Penalty Points System was introduced on 1 July 2017. The Council will not ordinarily apply the Penalty Points System to an existing driver's history until the licence is renewed. If a driver's circumstances change during the course of their licence, for example they acquire any misdemeanours, convictions, complaints or penalty points for speeding, they are obliged to let the Council know and the Penalty Points System would be applied at that point.</p> <p>The Taxi Drivers asked when the Penalty Points are reviewed in 12 months will they be able to comment on the points as some are not relevant and would the Taxi Drivers points be heard.</p> <p>DW commented that the Council were obliged to have some degree of consultation.</p> <p>LK stated consultation may be required if following the review changes were proposed.</p> <p>The Penalty Points System will be reviewed in July 2018 and the Licensing Committee will look at the decisions made and how it has operated.</p>		
5	<p>Cleaner Air Zones Where are we with the cleaner air zones. When will CEZ be implemented will there be a transitional period for current vehicle proprietors.</p>		
	<p>The Taxi Drivers asked how long they have got to replace their vehicles.</p> <p>MK informed this is still being discussed with the Government Department and proposals are being considered. The licensing team are not leading on the project.</p> <p>The Clear Air Zone is currently focussing on 3 specific sectors, the bus sector, light haulage sector and taxi trade. The Council's Traffic and Transportation team are looking at holding workshops for the different sectors and will invite the taxi trade in to a session to give the relevant information.</p> <p>The Taxi Drivers raised the issue that cost is involved and</p>		



	<p>the need to plan ahead for this. This is a major concern and drivers are fearful to buy a new vehicle until clarification of the requirements that maybe involved.</p> <p>MK informed Traffic and Transportation are talking to Defra re grants and bids to offer incentives for vehicle proprietors. It is expected that more definitive information will be available early in the new year.</p> <p>MN stated there is a need to make prompt decisions and make changes as soon as possible.</p> <p>The Taxi Drivers asked if the Council would consider additional vehicles as hackney carriages. This is also an opportunity to have a fresh look at the vehicles being used.</p> <p>MB informed a Working Party has been set up and they are looking at the age of the fleet. The majority of hackney carriages are old. MB assured the taxi drivers as soon as we have the information it will be shared with them.</p> <p>MK informed that these proposals are linked to Item 10 on the agenda and the Police correspondence about the condition of licensed vehicles.</p> <p>Retro fit kits were discussed and the DATA representatives submitted hard copy documentation detailing costings regarding systems to fit to vehicles. An electronic copy of this information was requested. According to the Taxi Drivers, Defra has set up an accreditation body for these kits. The system will cost £600 bringing emissions down to a low level without the need for changing the vehicle. Further information about this will need to be considered.</p>		
6	<p>Testing Stations</p> <p>What assurances can Derby City Council offer to insure that authorised Testing stations are consistent and how frequently are they reviewed. It's imperative that all Testing stations maintain a fair and unbiased standard.</p>		
	<p>Testing stations go through a contract tender process which states the criteria of the Testing station. The contract is a 2 Plus 1 contract with an option to extend by a year. The 2 years run out in July 2018 with the possibility to extend for another 12 months.</p> <p>As part of the process they have a supplementary testing manual. The Council go out and train the approved garage which are all MOT testers. The period of training depends on the station there is no defined period. The Council rely on pro-active audits and checks. Officers go out announced and unannounced. Any complaints received regarding stations are investigated.</p>		



	<p>The Council is aware of inconsistencies which are inevitable due to a number of stations carrying out the tests and different testers. The only way to reduce the levels of inconsistency is to have one station. The Council are looking at bringing the testing in-house possibly with Fleet Management Services at Stores Road Depot. When the contract is due to expire the contact will be looked at.</p>		
7	<p>Medicals DATOA Currently the licensing authority require licensed drivers to undertake a medical examination every three years. If you look at the government legislation the requirement for group 2 medicals is the applicant takes initial medical on entering the trade then again at the age of 45 then every 5 years to the age of 65 then annually thereafter. DATA medical validation period of 3 years/ own doctor. D.A.T.A would like clarification of why medicals were changed from every 5 years as recommended by The Driver vehicle Licensing Agency, which nearly almost all other councils across the country choose to adopt regardless of the deregulation act 2015, I've been licensed for almost 18 years with DCC and for 16yrs the council have always validated medicals for 5 years Like the national standard, but in 2015 the council decided to change this to go inside with 3 year badge renewals, from the outside this looks like this has solely been done to cut down on council administrative cost savings and to make things easier for the council. I'd also like to know why during the consultation process starting 20/8/15 ending 16/9/15 never once was it mentioned or suggested medicals would be cut from 5 to 3 years, this decision has financially affected licensed drivers and I feel an unnecessary burden as been placed upon licence holders. I believe the council have broken rule 1.1 of the regulators code by the actions that have been taken.</p>		
	<p>LK informed this went to Licensing Committee in 2015 and before the decision was made it went out to consultation where 64% thought it was a good idea to cut the medicals from 5 years to 3 years. This went through the right process. Public safety is paramount and the decision was made and not challenged at the time.</p> <p>The taxi drivers raised the issue of having to pay for 3 medicals over 10 years instead of 2 medicals. The cost of a medical can be £130.</p> <p>The taxi drivers would like this to go back to 5 years, which is the same for a commercial vehicle.</p> <p>MK informed that any changes would need to be considered by Licensing Committee and that the Chair would need to agree for this matter to be considered by Licensing Committee.</p>		



8	<p>Quarterlight stickers and one piece fare scale Do we need these stickers when there is a licence plate attached to the vehicle? Combine vehicle licence number and fare scale.</p>		
	<p>Quarterlight stickers are for ease of identification of the vehicle. It is easy for the public/other drivers/partner agencies to quickly identify the vehicle.</p> <p>There are cost implications to the taxi drivers which is an issue. SM and her team have been working on this to look at bringing the costs down. It would be useful if those companies who could provide the items at a better price were encouraged to tender for the work in future. The licensing team are also looking at the issues of signage as part of a wider review which needs to go back to the Licensing Committee next year.</p>		
9	<p>Out of area Hackney carriages operating in Derby The number of out of area Hackney carriages operating in Derby is increasing at a rapid rate. Are the operators fulfilling the licensing authority requirements regards out of area vehicles</p>		
	<p>MK informed operators have recently been reminded of conditions introduced on them regarding checks and processes. Not sure of response rate but will back up with visits regarding the operating conditions placed on them.</p> <p>The Council are doing everything it can to curb the issue although this is not on the radar of DCLG.</p> <p>The Council received correspondence about a month ago from Transport for London. The correspondence sent out encourages Local Authorities around the country to respond to them with the issues they are having. The Department of Transport's Minister has convened a working party looking at the issues and the Council have written to Transport for London and the Minister with our views.</p>		
10	<p>Cross Working party set up to look into the condition of licensed vehicles D.A.T.A. would like to work closely on this situation with the council on behalf of the Trade.</p>		
	<p>The Cross Working party are happy to receive information/letters for consideration from the taxi drivers. Looking at July 2018 to revamp things.</p>		
11	<p>Taxi Licensing Opening Hours It's been brought to our attention that drivers are being kept waiting at the taxi licensing desk regularly for longer than an hour. We are led to believe this is down to both a shortage of front of house staff and restricted hours. Also the desk clerks are operating more than one queuing system for</p>		



	<p>different licensing departments just using one member of staff for all.</p> <p>I would like the licensing committee to consider both an extra member of staff at periods of where 3 or more people are waiting and also the desk staying open until 15.00 rather than the present 12.45. This I believe will alleviate a worsening problem.</p>		
	<p>MK informed that the Council want people to be seen as soon as possible.</p> <p>The ticketing system used by the licensing team shows average service time is 8mins and waiting time average is 9mins. There are occasional issues with the cash machines in the main foyer which are for all members of the public. When there has been a queue for the licensing service, officers from the back office have provided assistance. It is a corporate issue when there are problems with the computer systems or cash machines.</p> <p>There was an issue where a taxi driver was not able to get his licence plate until the next day which is an issue as this takes them off the road.</p> <p>There are changes planned in the Council House and there will be less flexibility due to there being only one booth in the new year. This is beyond the control of the licensing team. We may have to look at reviewing the opening hours.</p> <p>The licensing team are also looking at renewals being done on-line which should be of benefit to the trade.</p> <p>DW commented that on-line applications are the way many Local Authorities are going. Middlesbrough Council have achieved this in a very short time, the system is simple and user friendly and works for the trade and the Council.</p>		
	<p>Date and time of next meeting</p> <p>MK and the Chair to look at a date for the next meeting in around 8 weeks.</p> <p>All to note the Agenda is on the website and all to comply with the terms and conditions and terms of reference for attending the meeting.</p> <p>MB (in his capacity as Chair following BS's need to leave the meeting) thanked all for attending and assured continued work with officers and the taxi drivers to achieve the best for Derby.</p>		

