

Time commenced : 6.00 pm
Time finished : 7.55 pm

TAXI LICENSING AND APPEALS COMMITTEE 20 DECEMBER 2006

Present: Councillor Redfern (Chair)

Councillors Baxter, Berry, Bolton, Dhamrait, Hird, Hussain, Jackson, Khan,
Leeming, Lowe, Poulter, Richards and Skelton

18/06 Apologies

An apology for absence was received from Councillor S Khan.

19/06 Late items introduced by the Chair

There were no late items

20/06 Declarations of Interest

There were no declarations of interest.

21/06 Minutes of the Previous Meeting

The minutes of the meeting held on 18 October 2006 were approved as a correct record and signed by the Chair.

22/06 Taxi and Private Hire Vehicle Licensing: Best Practice Guidance

The Committee considered a report from the Director of Environmental Services that detailed the 'Best Practice Guidance' released by the Department for Transport in November 2006. Members were asked to consider whether to amend any current licensing policies in light of the guidance.

It was noted that Derbys' policies and procedures largely reflected the best practice in the guidance, with three main areas of difference:

1. Licensing of Multi-purpose Vehicles (MPV's) as Private Hire Vehicles. It was noted that whilst the Authority does licence MPV's the number of passengers was restricted to four. The guidance suggested that this could be too restrictive.
2. Duration of drivers' licences. The guidance suggested that it was not necessarily good practice to renew drivers' licences annually and suggested that three yearly would be the best approach. Officers had noted that in a survey of comparable authorities 16 out of 17 renewed their licences annually. It was considered that in the interests of public safety licences should continue to be renewed annually as this would allow any relevant convictions to be highlighted.

3. Duration of Operators Licences. The authority currently requires operators licences to be renewed annually. The guidance suggested that a licence period of five years would be amore appropriate.

Councillor Hussain suggested that people should be given more responsibility for their own actions and if passengers want a six or seven seat vehicle they should be allowed to have it. He considered that to continue with the current policy would be restricting peoples choices. David Dowbenko reported that the idea for de-restricting the number of passengers had been discussed at a Private Hire trade meeting, however the trade representatives were supportive of current practice. An argument was considered that in the event of an accident access and egress could be restricted from the third row of seats if such vehicles were not subject to conditions relating to conditions specifying safe access and egress routes. It was also noted that if all seven seats in the vehicle were in use the MPV would not meet the necessary standard for luggage capacity.

Councillor Hussain considered that drivers operators licences should be renewed every three years as they did not have the same public contact as drivers. He felt that renewing annually was creating extra work and if after the three years the operator was not considered fit and proper then the licence could be revoked.

Resolved

- 1. to continue with the current policy for MPV licences by restricting the number of passengers to four**
- 2. to maintain the authority's current policy of annual renewal duration for drivers' licences**
- 3. to continue with the current policy of annual renewal relating to the renewal duration of operators licences.**

23/06 Request for a Survey of Unmet Demand for Hackney Carriages

The Committee considered a report from the Director of Environmental Services that detailed a request from the Hackney Carriage trade to carry out a demand survey. The request to restrict the numbers of Hackney Carriages was considered previously by the Committee in February 2006. The request to restrict the number of Hackney Carriage licences issued was stated by the taxi trade to be due to:

- the saturation of the Hackney Carriage market
- a decline in demand for taxis over the last two years
- inadequate taxi rank space within the city centre.

It was reported that Derby City Council did not currently restrict the number of licences issued to Hackney Carriages. Numbers had been restricted, but, in response to the Transport Act 1985, that advised that the number of licences should not be restricted, the Council resolved to de-restrict the numbers.

It was reported that as of 20 December 2006 the figure in 2.10 relating to the number of Hackney Carriage licences held was 322 not 315 as stated in the report. It was

considered that the increase was in response to the report being written and the potential restriction.

It was proposed by the taxi trade that to ensure that there was no unmet demand for hackney carriages, a local demand survey should be carried out. This would cost approximately £15,000. The results of the survey would be valid for two-three years after which it would need to be repeated. It was reported that a thorough survey would be necessary, with the data collected over 24 hour periods over a period of several weeks.

Concerns were raised that if the number of licences were restricted there would be very little 'natural wastage' of licences and that individual plates could acquire a value of thousands of pounds and would therefore be transferred between drivers. It was noted that one authority that had restricted the number of Hackney Carriage licences had experienced a significant increase in Private Hire licences.

Councillor Bolton considered that whilst the idea of a survey was a good one there was a significant financial implication. Olu Idowu reiterated the point that the expenditure would not be a one off as it would have to be repeated every two to three years at the same cost. Councillor Hussain suggested that the Committee could agree in principal to the survey, if the funds required could be found.

Councillor Poulter considered that from a service user perspective customers having a number of taxis available would mean that they are able to get a taxi when they want it. He also believed that supply and demand would mean that numbers would even out.

Councillor Skelton asked that if the numbers of licences was restricted would any excess licences be redundant. John Tomlinson responded that excess licences would not be made redundant but as a licence was surrendered it would not be replaced.

Mr M Saffaf, Mr S Mahmood and Mr M Ali from the Hackney Carriage trade attended and addressed the Committee.

Resolved to not commission a survey of unmet demand for Hackney Carriages within the city.

24/06 Request for Approval of a New Hackney Carriage (LTI Vehicles 'TX4')

The Committee considered a report from the Director of Environmental Services that requested approval of the LTI Vehicles 'TX4' for use as a Hackney Carriage within the City.

Resolved

- 1. to approve the LTI Vehicles 'TX4' for use a Hackney Carriage within the City of Derby**
- 2. to request the Director of Corporate and Adult Social Services to amend the Council's specification for Hackney Carriages to include the LTI Vehicles 'TX4'**

25/06 Detailed Approval of Narrowband Wireless Broadcast TV Screens in Hackney Carriages ('Cabtivate')

The Committee considered a report from the Director of Environmental Services that requested detailed approval of broadcasting narrowband wireless transmissions to public display screens located in licensed Hackney Carriages. At the meeting in October 2006, Members agreed in principle to narrowband wireless TV in taxis, therefore the taxi advertising policy and the Hackney Carriage licence conditions would need to be amended. Concerns that Members raised relating to radiation were addressed.

Resolved

- 1. to approve broadcasting narrowband wireless transmissions to public display screens located in licensed Hackney Carriages in Derby**
- 2. to approve the system manufactured by Cabtivate Media Systems Ltd to transmit data to public display screens located in licensed Hackney Carriages in Derby**
- 3. to amend the taxi licensing policy and the Hackney Carriage terms and conditions to provide appropriate safeguarding.**

26/06 Exclusion of Press and Public

A resolution was passed under Section 100A(4) of the Local Government Act 1972 to exclude the press and public from the meeting during consideration of the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

MINUTES END